

- 4 -

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR PETITION FOR SPECIAL HEARING
SW/COR JOPPA ROAD AND
OLD HARFORD ROAD (2317 JOPPA ROAD)
AND VARIANCE
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT

CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Ct Doc. No. 44
Folio No. 281
File No. 87-CG-3411

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, Thomas J. Bollinger, and Harry E. Buchheister, Jr., constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Stanley S. Fine, Esquire, and Barry Weiskopf, Esquire, Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A., Tenth Floor, Sun Life Building, 20 S. Charles Street, Baltimore, MD 21201, Counsel for Petitioner; David D. Bock, Area Construction Manager, Taco Bell Corporation, 1940 Route 70 East, Suite 203, Cherry Hill, NJ 08003, Petitioner; Greater Parkville C/C, P.O. Box 28449, Baltimore, MD 21234, Protestants; Mr. Richard R. Elgin, Perring Park Community Assoc., 2509 Cider Mill Road, Baltimore, MD 21234, Protestant; Mr. Robert Ward, Woodcroft Civic Association, 2408 Burrigle Road, Baltimore, MD 21234, Protestant; Mr. William Gerhardt, 8821 Old Harford Road, Baltimore, MD 21234, Protestant; Mr. John E. Sinnott, Perring Park Community Association, 2314 Harford Hills Road, Baltimore, MD 21234, Protestant; Mr. Mariano Cuba, 8823 Old Harford Road, Baltimore, MD 21234, Protestant; Mr. Joseph Sullivan, 8825 Old Harford Road, Baltimore, MD 21234, Protestant; and Phyllis Cole Friedman, Esquire, Room 223, Courthouse, Towson, MD 21204, People's Counsel

Case No. 87-45-SPHA
Taco Bell Corporation

2.

for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

Richard R. Elgin
Richard R. Elgin
County Board of Appeals of Baltimore County
Room 200, Courthouse, Towson, MD 21204

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Stanley S. Fine, Esquire, and Barry Weiskopf, Esquire, Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A., Tenth Floor, Sun Life Building, 20 S. Charles Street, Baltimore, MD 21201, Counsel for Petitioner; Mr. David D. Bock, Area Construction Manager, Taco Bell Corporation, 1940 Route 70 East, Suite 203, Cherry Hill, NJ 08003, Petitioner; Greater Parkville C/C, P.O. Box 28449, Baltimore, MD 21234, Protestants; Mr. Richard R. Elgin, Perring Park Community Assoc., 2509 Cider Mill Road, Baltimore, MD 21234, Protestant; Mr. Robert Ward, Woodcroft Civic Association, 2408 Burrigle Road, Baltimore, MD 21234, Protestant; Mr. William Gerhardt, 8821 Old Harford Road, Baltimore, MD 21234, Protestant; Mr. John E. Sinnott, Perring Park Community Association, 2314 Harford Hills Road, Baltimore, MD 21234, Protestant; Mr. Mariano Cuba, 8823 Old Harford Road, Baltimore, MD 21234, Protestant; Mr. Joseph Sullivan, 8825 Old Harford Road, Baltimore, MD 21234, Protestant; and Phyllis Cole Friedman, Esquire, Room 223, Courthouse, Towson, MD 21204, People's Counsel for Baltimore County, on this 7th day of August, 1987.

Richard R. Elgin
Richard R. Elgin
County Board of Appeals of Baltimore County

Greater Parkville C/C
P.O. Box 28449, Baltimore, Md. 21234

Stanley S. Fine, Esquire, Attorney for Petitioner
Sun Life Bldg., 10th Floor, 20 S. Charles Street, Baltimore, Md. 21201

Mr. David D. Bock, Area Construction Manager
Taco Bell Corp., 1940 Route 70 East, Suite 203, Cherry Hill, NJ 08003

Peoples Counsel

Request Notification: Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois, Docket Clerk

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 214 Date of Posting: 7/28/87
Posted for: Special Hearing & Variance
Petitioner: Taco Bell Corp.
Location of property: 2317 E. Joppa Rd.
Location of Signs: 2317 E. Joppa Rd. & Old Harford Rd.
Remarks: 2317 E. Joppa Rd. & Old Harford Rd.
Posted by: *Richard R. Elgin*
Number of Signs: 4

TO: Board of Appeals DATE: February 2, 1987

FROM: Office of Zoning

SUBJECT: PETITION FOR SPECIAL HEARING AND VARIANCE
SW/cor. of Joppa Road and Old Harford Road
(2317 E. Joppa Road)
9th Election District
Taco Bell Corporation - Petitioner
Case No. 87-45-SPHA

APPEAL FILED BY: Appellant/Protestant - Richard R. Elgin for the Perring Park Community Association

The following items are being transmitted in accordance with the appeal filed on the above-referenced case:

- 1) Petitions for Special Hearing and Zoning Variance
- 2) Description of Property
- 3) Certificates of Posting
- 4) Certificates of Publication
- 5) Baltimore County Zoning Advisory Committee Comments
- 6) Director of Planning & Zoning Comments
- 7) Entry of Appearance of People's Counsel for Baltimore County
- 8) Order of Zoning Commissioner
- 9) Notice of Appeal Filed on 2/02/87 by Appellant/Protestant - Richard R. Elgin for the Perring Park Comm. Assoc.
- 10) Petitioner's Exhibits as follows:

Exhibit 1 - Site Plan
Exhibits 2a thru 2c - Color Photos
Exhibit 3a through 3c - Color Photos
Exhibit 4 - Letter of support
Exhibit 5 - Breakdown of square footage for Signs
Exhibit 6 - Revised Site Plan

11) Letters from Protestants as follows:

Letter of Opposition from Elgin Cuba
Letter of Opposition from T. W. Greenwith
Letter of Opposition from Mr. & Mrs. Sullivan
Two Letters of Opposition from various Citizens

*Mr. Richard R. Elgin, Appellant/Protestant
Perring Park Comm. Assoc.
2509 Cider Mill Rd., 21234
*Mr. John E. Sinnott, President
Perring Park Community Assoc.
2314 Harford Hills Rd., 21234
*Mr. Robert Ward, Vice President
Woodcroft Civic Assoc.
2408 Burrigle Rd., 21234
*Mr. Mariano Cuba
8823 Old Harford Rd., 21234
*Mr. William Gerhardt
8821 Old Harford Rd., 21234
*Mr. Joseph Sullivan
8825 Old Harford Rd., 21234

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 736-0680

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE 828-0060
May 27, 1986

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

DESCRIPTION FOR ZONING VARIANCE - 2317 E. JOPPA ROAD:

Beginning for the same at the point formed by the intersection of the south side of East Joppa Road (70 feet wide) with the west side of Old Harford Road (60 feet wide) thence (1) South 66 degrees 11 minutes 10 seconds East 34.77 feet (2) South 44 degrees 06 minutes 00 seconds East 63.46 feet (3) South 03 degrees 21 minutes 10 seconds West 22.10 feet (4) South 50 degrees 48 minutes 30 seconds West 131.94 feet (5) North 23 degrees 47 minutes 19 seconds West 169.38 feet and (6) North 84 degrees 00 minutes 04 seconds East 96.43 feet to the place of beginning.

Malcolm E. Hudkins
Registered Surveyor #5095

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCES
SW/Corner of Joppa Rd. & Old
Harford Rd. (2317 E. Joppa Rd.)
9th District

TACO BELL CORP., Petitioner : Case No. 87-45-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 25th day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, P.A., 222 E. Redwood St., Suite 300, Baltimore, MD 21202, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

July 7, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES
SW/cor. of Joppa Rd. and Old Harford Rd.
(2317 East Joppa Rd.)
9th Election District
Taco Bell Corp. - Petitioner
Case No. 87-45-SPHA

TIME: 10:45 a.m.

DATE: Monday, August 18, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

DATE: ACCOUNT:
AMOUNT: \$
RECEIVED FROM:
FOR:
VALIDATION OR SIGNATURE OF CASHIER:

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 29911

DATE: ACCOUNT:
AMOUNT: \$
RECEIVED FROM:
FOR:
VALIDATION OR SIGNATURE OF CASHIER:

To be filled by cashier

The following Baltimore County residence and community association, which is entering an appeal to the Baltimore County Board of Appeals, requesting an appeal to the Board of Appeals, is hereby notified of the hearing date and place.

Michael R. Elgin
2509 Cider Mill Rd.
Baltimore, Md. 21234

John E. Sinnott
2314 Harford Hills Rd.
Baltimore, Md. 21234

Robert Ward
2408 Burrigle Rd.
Baltimore, Md. 21234

William Gerhardt
8821 Old Harford Rd.
Baltimore, Md. 21234

Joseph Sullivan
8825 Old Harford Rd.
Baltimore, Md. 21234

Richard R. Elgin
2509 Cider Mill Rd.
Baltimore, Md. 21234

John E. Sinnott
2314 Harford Hills Rd.
Baltimore, Md. 21234

Robert Ward
2408 Burrigle Rd.
Baltimore, Md. 21234

William Gerhardt
8821 Old Harford Rd.
Baltimore, Md. 21234

Joseph Sullivan
8825 Old Harford Rd.
Baltimore, Md. 21234

TACO BELL CORP. SIGNAGE
2317 E. Joppa Road

1 pylon sign (refaced)	69.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
2 directional signs (double-faced)	16.44 sq. ft.
Totals: 5 signs	132.54 sq. ft.

August 29, 1986
Page 2

I am enclosing some guest cards which I hope you will use. While in the store, please introduce yourself to Don.

Very truly yours,

Bruce J. O'Brien
District Manager

BJO/scp

Enclosures

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 31, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 31, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

35.25



Baltimore-Washington Area
Taco Bell Corp.
10 Piquette Hill (Nac) #20
Serving Virginia 21210
Telephone 703 450 2377

August 29, 1986

Ms. Virginia Schrell
8814 Ashford Road
Baltimore, Maryland 21234

Dear Ms. Schrell:

First, please let me apologize if I have misspelled your name. I am reading from a rather faint copy of the petition you have filed concerning our application for a zoning variance for our location at 2317 East Joppa Road.

As the District Manager whose area of responsibility includes the Joppa Road location, I found the issues you have raised to be very disturbing. It is Taco Bell's policy to be a good corporate neighbor wherever we do business. This, after all, is only good business policy, since our neighbors are also our customers. Based upon your comments, we have not been entirely successful in fulfilling that obligation.

I have had a lengthy conversation with unit manager, Don Schaffer, (who is fairly new to this restaurant) concerning our responsibilities to you, our neighbors. Don will be responsible for insuring that we keep the surrounding residences free of litter (whether it be Taco Bell litter or not). Night managers have been instructed to make regular checks of the parking area to control loitering, noise levels, etc., and to call the police if necessary. Before long, I hope, word will spread that Taco Bell is not the place to "hang out." We have contacted our trash hauler, who has promised to reroute his truck so that trash will not be picked up before 7:00 a.m. I am also doing some research on late night sales at this unit. It is possible that, if we are successful in opening a drive thru, we can close the dining room earlier. Experience at other stores indicates that this would reduce the loitering problem.

As you know, we will be making a presentation of our plans to the community on September 10, 1986, to which a representative of the Old Harford Road/Ashford Road residents has been invited. I hope this meeting will allow us to fully understand each other.

If you find that we are not measuring up to the commitments made in this letter, or if there are other problems, please call Don Schaffer at 668-5882, so that we can pinpoint responsibility and take corrective action. Don is normally in the restaurant on Tuesday through Saturday.

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

ZONING OFFICE

August 7, 1987

Mr. Richard R. Elgin
Perring Park Community Association
2509 Cider Mill Road
Baltimore, MD 21234

RE: Case No. 87-45-SFHA
Taco Bell Corporation

Dear Mr. Elgin:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Richard R. Elgin
Richard R. Elgin
Administrative Secretary

Encl.

cc: Mr. Robert Ward
Mr. William Gerhart
Mr. John E. Sirovack
Mr. Mariano Cuba
Mr. Joseph Sullivan
Greater Parkville CAC
Phyllis Cole Friedman, Esquire
Norman E. Gerber
James G. Howell
J. Robert Haines
John M. H. Jung
James E. Dyer
Margaret E. de Bois

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

August 17, 1987

Barry Weiskopf, Esquire
Tenth Floor - Sun Life Building
20 South Charles Street
Baltimore, MD 21201

RE: Case No. 87-45-SFHA
Taco Bell Corporation

Dear Mr. Weiskopf:

The Board has considered your Motion to Revise the Order of this Board dated July 7, 1987, and will deny this Motion.

The Board had before it sworn testimony that the hearing and the date were discussed at a meeting attended by Petitioner's Counsel and that notice of the hearing date was sent not only to Petitioner's Counsel but to the Petitioner personally. An effort was made on the day of the hearing to have Petitioner represented and this was not accomplished.

The Board can therefore find no justification for revising its decision in this matter and your Motion to Revise Order is hereby denied.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

WTH:kw

cc: Stanley S. Fine, Esquire



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

March 30, 1988

Mr. Richard Elgin
2509 Cider Mill Road
Baltimore, MD 21234

RE: Case No. 87-45-SFHA
Taco Bell Corporation

Dear Mr. Elgin:

As promised, enclosed is a copy of the Stipulation of Dismissal which was forwarded to the Circuit Court for Baltimore County on October 10, 1987, to dismiss the appeal taken to the Circuit Court by Taco Bell Corporation.

Sincerely,

Richard R. Elgin
Richard R. Elgin
Administrative Secretary

Encl.



Baltimore County, Maryland
PEOPLE'S COUNCIL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLIS COLE FRIEDMAN
People's Council

PETER MAX ZIMMERMAN
Deputy People's Council

October 16, 1987

The Honorable
Suzanne Bensch, Clerk
Circuit Court for Baltimore County
Courts Building
Towson, Maryland 21204

RE: In the Matter of the Application
of Taco Bell Corporation for
Special Review - CAC, Case
No. 87-45-SFHA

Madam Clerk:

Enclosed for you are a Stipulation of Dismissal of the above-captioned case which has been signed by all counsel. Under Rule 2-601(a), an order does not appear to be required.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Council

Enclosure

cc: Stanley S. Fine, Esquire
Barry Weiskopf, Esquire
Clerk, Maryland Circuit Court for Baltimore County
10th Floor - Sun Life Building
20 S. Charles Street
Baltimore, Maryland 21201

PSZ:sh



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

February 3, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 21(c), COUNTY COUNCIL BILL #60-70.

CASE NO. 87-45-SFHA

TACO BELL CORPORATION

2317 E. Joppa Rd. and Old Harford Rd.
(2317 E. Joppa Rd.)

1st District

COUNCIL allow detention facility & an addition to the building
parking area signs and parking spaces

ASSIGNED FOR:

1. Mr. Richard Elgin

Mr. Richard Elgin

Mr. William Gerhart

Mr. John E. Sirovack

Mr. Mariano Cuba

Mr. Joseph Sullivan

Greater Parkville CAC

Phyllis Cole Friedman, Esquire

Norman E. Gerber

James G. Howell

J. Robert Haines

John M. H. Jung

James E. Dyer

Margaret E. de Bois

Classification of Chemicals Filed in Division of
from all sources. Ed. Price, Ed.; S. Weinberg, Ed.;
and P. Zimmerman, Eds. pp.



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

June 30, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 439 -ZAC- Meeting of June 10, 1986
Property Owner: Taco Bell Corporation
Location: SW/C Joppa Rd. and Old Harford Rd.
Existing Zoning: B.L. - CS2
Proposed Zoning: Special Hearing to approve an amendment to the site plan and Order in Case No. 81-88-A to remove restriction #1 to allow a "drive thru" facility and an addition to the building and a Variance to permit a total sign square footage of 132.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs. The permit 27 parking spaces in lieu of the required 33 parking spaces.
Acres: 0.375 acres
District: 9th Election District

Re: Mr. Jablon:

We have reviewed the submitted site plan and have the following comments:

1. The site plan does not provide for sufficient stacking spaces from the order board for the drive-thru window.
2. The entrance and the exit for the drive-thru window do not provide a large enough radius; this will tend to cause congestion on Old Harford Road and Joppa Rd.
3. The proposed parking variance can be expected to cause parking problems in the area around the site.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 23, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Stanley S. Fine, Esquire
222 E. Redwood Street, Suite 300
Baltimore, Maryland 21202

RE: Item No. 439 - Case No. 87-45-SPHA
Petitioner: Taco Bell Corp.
Petitions for Special Hearing and Zoning Variance

Dear Mr. Fine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Hudkins Associates, Inc.
200 East Joppa Road, Room 101
Towson, Maryland 21204

Taco Bell Corp.
1940 Route 70 East, Suite 203
Cherry Hill, New Jersey 08003

AUGUST 11, 1986

THE CITIZENS LISTED ARE AGAINST THE FOLLOWING ZONING NOTICE
PROPERTY KNOWN AS TACO BELL AT THE INTERSECTION OF JOPPA ROAD - OLD HARFORD ROAD AND BEDLINGTON AVENUE.

ZONING NOTICE
SPECIAL HEARING
ZONING COMMISSIONER TOWSON, M.D.
PLACE 111 W. CHESAPEAKE AVE.
COUNTY OFFICE BLDG.
TIME & DATE - MON. AUG. 18, 1986 - TIME 10:45 AM
CASE NUMBER 87-45-SPHA

TO REMOVE RESTRICTION NO. 1 IN ORDER DATED 11-40-80 IN CASE NO. 81-88A, AND TO AMEND THE SITE PLAN TO PERMIT A "DRIVE-THRU" FACILITY AND AN ADDITION TO THE BUILDING.

WE THE PEOPLE OF THE COMMUNITY FEEL THAT RESTRICTION NO. 1 SHOULD REMAIN IN EFFECT INDEFINITELY DUE TO THE FACT OF NOISE, EXCESSIVE TRAFFIC, TRASH, AND UNWANTED PEOPLE WALKING THROUGH THE AREA ALL HOURS OF THE NIGHT.

- TRAFFIC -- ACCIDENT RATE HAS INCREASED DRASTICALLY AT ALL ENTRANCES, EXITS, AND INTERSECTIONS.
- NOISE -- SOME NEIGHBORHOOD RESIDENCE CANNOT EVEN OPEN THEIR WINDOWS AT NIGHT DUE TO THE FOUL LANGUAGE, AND YOUTHS ON THE PARKING LOT SQUEALING CAR TIRES.
- TRASH -- THE NEIGHBORHOOD HAS BECOME A TRASH DUMPSTER; WITH ONE RESIDENT REMOVING 16 BAGS OF TRASH THIS YEAR. ALSO, THERE HAVE BEEN SEVERAL FIRES IN THE TACO BELL DUMPSTER. TACO BELL DOES NOT SELL BEER; BUT THE BEER BOTTLES IN THE AREA ARE SCATTERED ON LAWNS OF OLD HARFORD ROAD AND HAS INCREASED DRASTICALLY.

UNWANTED PEOPLE

IT HAS BEEN NOTICED THAT PEOPLE USING THE TACO BELL PARKING LOT ARE NOT AWARE OF THE RESTROOM FACILITY. NUMEROUS PEOPLE HAVE BEEN SEEN URINATING ON THE LAWNS, BEHIND BUSHES, AROUND THE DUMPSTER, AND EVEN ON PRIVATE PROPERTIES.

IT HAS BECOME A HANG OUT FOR OLDER TEENAGERS IN THE EARLY MORNING HOURS. POLICE HAVE BEEN SUMMONED SEVERAL TIMES IN JUST A FEW YEARS.

NO WE THE CITIZENS OF THE COMMUNITY DO NOT WANT TO SEE RESTRICTION NO. 1 REMOVED. ROBBERY ALSO HAS INCREASED IN THE CLOSE AREA WITH TACO BELL BEING ROBBED SEVERAL TIMES IN JUST A FEW YEARS.

August 29, 1986
Page 2

I am enclosing some guest cards which I hope you will use. While in the store, please introduce yourself to Don.

Very truly yours,

Bruce J. O'Brien
Bruce J. O'Brien
District Manager

BJO/scp

Enclosures

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 439, Zoning Advisory Committee Meeting of June 10, 1986

Property Owner: Taco Bell Corporation

Location: SW/C Joppa Rd. & Old Harford Rd. District 9th

Water Supply: Public Sewage Disposal: Public

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 439 Zoning Advisory Committee Meeting of 6/10/86
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: July 21, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions Nos. 87-45-SPHA, 87-46-A and 87-47-A

As to these requests for variances, this office has no problem with the menu boards or directional signs; however, the proposed I.D. signs are much too large. This office is opposed not only to the excessive height but to the excessive size of these signs. Baltimore County's arterial roads have been blessed with a plethora of signage. Additionally we fail to see the need for such height and size considering the proposed locations of the signs.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEO:JGH:sjm

87-45-SPHA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of June, 1986.

Petitioner: Taco Bell Corp.
Petitioner's Attorney: Stanley S. Fine, Esquire

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee

TACO BELL CORP. SIGNAGE
2317 E. Joppa Road

1 pylon sign (refaced)	69.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
2 directional signs (double-faced)	16.44 sq. ft.
Totals: 5 signs	132.54 sq. ft.

TO: Board of Appeals
FROM: Office of Zoning
SUBJECT: PETITION FOR SPECIAL HEARING AND VARIANCE
SW/cor. of Joppa Road and Old Harford Road
(2317 E. Joppa Road)
9th Election District
Taco Bell Corporation - Petitioner
Case No. 87-45-SPHA

APPEAL FILED BY: Appellant/Protestant - Richard R. Elgin for the
Perring Park Community Association

The following items are being transmitted in accordance with the
appeal filed on the above-referenced case:

- 1) Petitions for Special Hearing and Zoning Variance
- 2) Description of Property
- 3) Certificates of Posting
- 4) Certificates of Publication
- 5) Baltimore County Zoning Advisory Committee Comments
- 6) Director of Planning & Zoning Comments
- 7) Entry of Appearance of People's Counsel for Baltimore County
- 8) Order of Zoning Commissioner
- 9) Notice of Appeal Filed on 2/02/87 by Appellant/Protestant -
Richard R. Elgin for the Perring Park Comm. Assoc.
- 10) Petitioner's Exhibits as follows:
Exhibit 1 - Site Plan
Exhibits 2a thru 2k - Color Photos
Exhibit 3a through 3c - Color Photos
Exhibit 4 - Letter of Support
Exhibit 5 - Breakdown of square footage for Signs
Exhibit 6 - Revised Site Plan
- 11) Letters from Protestants as follows:
Letter of Opposition from Elsie Cuba
Letter of Opposition from T. W. Cheroewith
Letter of Opposition from Mr. & Mrs. Sullivan
Two Letters of Opposition from various Citizens

Mr. Richard A. Elgin, Appellant/Protestant
Perring Park Comm. Assoc.
2509 Cider Mill Rd., 21234

Mr. Robert Ward, Vice President
Woodcroft Civic Assoc.,
2408 Burridge Rd., 21234

Mr. William Gerhardt
8821 Old Harford Rd., 21234

Mr. John E. Sinnott, President
Perring Park Community Assoc.
2314 Harford Hills Rd., 21234

Mr. Mariano Cuba
6823 Old Harford Rd., 21234

Mr. Joseph Sullivan
8825 Old Harford Rd., 21234

Greater Parkville C/C
P.O. Box 28449, Baltimore, Md. 21234
Stanley S. Fine, Esquire, Attorney for Petitioner
Sun Life Bldg., 10th Floor, 20 S. Charles Street, Baltimore, Md. 21201

Mr. David D. Bock, Area Construction Manager
Taco Bell Corp., 1940 Route 70 East, Suite 203, Cherry Hill, NJ 08003

Peoples Counsel

Request Notification: Norman E. Gerber
James Howell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois, Docket Clerk

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR PETITION FOR SPECIAL HEARING
SW/COR JOPPA ROAD AND
OLD HARFORD ROAD (2317 Joppa Road)
AND VARIANCE
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF BALTIMORE COUNTY

* Case No. 87-45-SPHA

PETITION FOR APPEAL FROM DECISION OF COUNTY
BOARD OF APPEALS FOR BALTIMORE COUNTY

The Petition for Appeal of Taco Bell Corporation, Appellant, by
its attorneys, Stanley S. Fine, Barry Weiskopf and Kaplan, Heyman, Greenberg,
Engelman & Belgrad, P.A., respectfully represents unto this Honorable Court as
follows:

1. That your Appellant is the owner of the property known as 2317
Joppa Road located in Baltimore County, Maryland on which, your Appellant
operates a Taco Bell fast food Mexican restaurant.
2. Your Petitioner applied for a special acceptance and variance
to permit Appellant to construct on the property a drive-through window.
3. The Petition was filed in a timely manner; however, neither
Appellant nor its undersigned counsel received notice of the date of the
proceedings as required under Rule 2A of the Rules of Practice and Procedure
of the County Board of Appeals.
4. The Order entered by the County Board of Appeals in this matter
is without prejudice.

RECEIVED
COUNTY BOARD OF APPEALS
1987 JUN 18 P 1:09

5. The failure by the County Board of Appeals to properly notify
Petitioner or its counsel amounts to such mistake or irregularity as to
justify this Court in reversing the decision of the County Board of Appeals
and remanding this case for further proceedings.

WHEREFORE, your Appellant prays:

A. That this Court reverse the decision of the County Board of
Appeals for Baltimore County in Case No. 87-45-SPHA and remand the case for
further proceedings, including a proper hearing.

B. That the Appellant be granted such other and further relief as
the nature of its cause may require.

STANLEY S. FINE

BARRY WEISKOPF

KAPLAN, HEYMAN, GREENBERG, ENGELMAN &
BELGRAD, P.A.
10th Floor - Sun Life Building
20 South Charles Street
Baltimore, Maryland 21201
301/539-6967

Attorneys for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of August, 1987, a copy of
the foregoing Petition for Appeal from the Decision of the County Board of
Appeals for Baltimore County was mailed by first class mail, post prepaid to
the County Board of Appeals for Baltimore County, Room 200, Court House,
Towson, Maryland 21204.

BARRY WEISKOPF

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR SPECIAL HEARING TO AMEND
EXISTING SITE PLAN & VARIANCES
ON PROPERTY LOCATED ON THE SW/
CORNER OF JOPPA ROAD AND OLD
HARFORD ROAD (2317 Joppa Road)
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT
TACO BELL CORP. - PETITIONER-
PLAINTIFF
ZONING FILE NO. 87-45-SPHA

CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
CG Doc. No. 44
Folio No. 281
File No. 87-CG-3411

PROCEEDINGS BEFORE THE ZONING COMMISSIONER
AND THE BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, Thomas J. Bollinger, and Harry E.
Buchheister, Jr., constituting the County Board of Appeals of Baltimore County,
and in answer to the Order for Appeal directed against them in this case, here-
with return the record of proceedings had in the above-entitled matter, consisting
of the following certified copies or original papers on file in the Zoning Office
of Baltimore County:

No. 87-45-SPHA

June 30, 1986
Petitions of Taco Bell Corporation for a special hearing
to approve amendment to site plan and Order in Case
No. 81-88-A to remove restriction #1 to allow a "drive-
thru" facility and addition to building; and for variances
to permit total sign square footage of 132.54 sq. ft.
in lieu of the allowed 100 sq. ft., to permit 5 other
business signs in lieu of the allowed 3, and to permit
27 parking spaces in lieu of the allowed 33.

June 30
Order of the Zoning Commissioner directing advertisement
and posting of property - date of hearing set for
August 18, 1986 at 10:45 a.m.

July 7
Certificate of Posting of property - filed

July 21
Comments of Baltimore County Director of Planning - filed

July 23
Comments of Baltimore County Zoning Plans Advisory
Committee - filed

Case No. 87-45-SPHA
Taco Bell Corporation

July 31, 1986
Certificate of Publication in newspaper - filed

August 18
At 10:45 a.m., hearing held on petitions by Zoning
Commissioner

January 12, 1987
Order of the Zoning Commissioner GRANTING the Petition
for Special Hearing to remove restriction #1 from
Order in Case No. 81-88-A and to amend site plan to
permit drive-thru; additionally, GRANTING variances to
permit other business signs totaling 116.10 sq. ft. in
lieu of permitted 100 sq. ft. and 27 parking spaces in
lieu of the required 33 spaces, subject to restriction.

February 2
Letter of Appeal to the C.B. of A. from Richard R.
Elgin, William Gerhardt, Mariano C. Cuba, Joseph
Sullivan, Perring Park C/A, Greater Parkville C/C,
and Woodcroft C/A, Protestants

July 1
Hearing scheduled before the County Board of Appeals;
Board convened hearing after 45-minute waiting period
due to non-appearance of Petitioner or his Counsel

July 7
Order of the Board of Appeals DISMISSING Petition.

August 6
Order for Appeal to the Circuit Court for Baltimore
County from Stanley S. Fine, Esquire, and
Barry Weiskopf, Esquire, Counsel for Petitioner

August 18
Petition to accompany Order for Appeal filed in the
Circuit Court for Baltimore County

August 7
Certificate of Notice sent to interested parties.

September 4
Transcript of testimony filed.

September 4
No exhibits presented before the County Board of Appeals.

September 4
Record of Proceedings filed in the Circuit Court for
Baltimore County

Record of proceedings pursuant to which said Order was entered and
upon which said Board acted are hereby forwarded to the Court (no exhibits were
entered into evidence before the Board).

Respectfully submitted,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
County Board of Appeals
of Baltimore County

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR SPECIAL HEARING

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE COUNTY
* Case No. 87-CG-3411

STIPULATION OF DISMISSAL

The undersigned counsel for Petitioner and Respondent in the
above-captioned matter hereby stipulate to the dismissal of this action
pursuant to Maryland Rule 2-506(a), with prejudice.

STANLEY S. FINE

BARRY WEISKOPF

KAPLAN, HEYMAN, GREENBERG, ENGELMAN &
BELGRAD, P.A.
10th Floor - Sun Life Building
20 S. Charles Street
Baltimore, Maryland 21201
301/539-6967

Attorneys for Taco Bell Corporation

PETER MAX ZIMMERMAN

Esq., 103, Court House

Towson, Maryland 21204

Deputy Peoples Counsel



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
404 3353

ARNOLD JAILON
ZONING COMMISSIONER

February 2, 1987

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Stanley S. Fine, Esquire
Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.
Sun Life Bldg., 10th Floor
20 S. Charles Street
Baltimore, Maryland 21201

Mr. David D. Bock, Area Construction Manager
Taco Bell Corporation
1940 Route 70 East, Suite 203
Cherry Hill, New Jersey 08003

Mr. John E. Sinnott, President
Perring Park Community Assoc.
2314 Harford Hills Road
Baltimore, Maryland 21234

Greater Parkville C/C
P.O. Box 28449
Baltimore, Maryland 21234

William Gerhardt, Esquire,
Peoples Counsel for Baltimore County

Mr. Richard R. Elgin
2509 Cider Mill Rd., 21234

Mr. William Gerhardt
8821 Old Harford Rd., 21234

Mr. Mariano C. Cuba
6823 Old Harford Rd., 21234

Mr. Joseph Sullivan
8825 Old Harford Rd., 21234

Mr. Robert Ward, Vice Pres.
Woodcroft Civic Association
2408 Burridge Road, 21234

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES

A copy of Joppa Road and Old Harford Road
(2317 E. Joppa Road)
9th Election District
Taco Bell Corporation - Petitioner
Case No. 87-45-SPHA
was filed in the Circuit Court for Baltimore County on August 6, 1986.

On the 17th day of August, 1987, an appeal was filed by
Richard R. Elgin, Appellant, from the decision rendered by the Baltimore
County Zoning Commissioner in the above-referenced case.

It will be notified of the time and date of the appeal hearing when it
has been scheduled by the Baltimore County Board of Appeals.

Very truly yours,

Arnold Jailon
ZONING COMMISSIONER

Attest:

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR PETITION FOR SPECIAL HEARING
SW/COR JOPPA ROAD AND
OLD HARFORD ROAD (2317 Joppa Rd)
AND VARIANCE
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF BALTIMORE COUNTY

* Case No. 87-45-SPHA

RECEIVED
COUNTY BOARD OF APPEALS
1987 AUG -6 P 3 04

ORDER FOR APPEAL BY TACO BELL CORPORATION

Madam Clerk:

Please enter an appeal on behalf of Taco Bell Corporation, Petitioner,
from the Order of the County Board of Appeals of Baltimore County, passed in
the above case on July 7, 1987.

15/
STANLEY S. FINE

15/
BARRY WEISKOPF

Kathy Summers, Esq., Clerkman & Belgrad, P.A.

KAPLAN, HEYMAN, GREENBERG, ENGELMAN &
BELGRAD, P.A.
Tenth Floor - Sun Life Building
20 South Charles Street
Baltimore, Maryland 21201
301/539-6967

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 1987, a copy
of the foregoing Order for Appeal was hand-delivered to the County Board of

Appeals of Baltimore County, Room 200, Court House, Towson, Maryland 21204,
prior to the filing of this Order of Appeal.

BARRY WEISKOPF

2/9/87 - Following notified of hearing set for Wednesday, July 1, 1987, at 10 a.m.

Richard Elgin
Robt. Ward
Wm. Gerhardt
John Sinnott
Mariano Cuba
Jos. Sullivan
Greater Parkville
Stanley Fine, Esq.
David Bock

People's Counsel
Norman Gerber, J. Hoswell
A. Jablon, J. Jung, J. Dyer, M. duBois

Form CA4

Jobi Adams — 494-2660
Civil Assignment Commissioner
Settlement Court

Maria Ercolano — 494-2662
Masters Assignment Clerk
Medical Records

TO:

Stanley S. Fine, Esq.
Barry Weiskopf, Esq.

Thomas J. Bollinger, Esq.
County Board of Appeals

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bosley Avenue
P.O. Box 6754
Towson, Maryland, 21204-0754
September 23, 1987.

Kathy Rushton — 494-2660

Assignment — Jury — Motions
Marcia Fennell
Assistant Clerk Typist

Irene Summers — 494-2661

Assignment — Non-Jury — Motions
Freddie Grove
Assistant Clerk Typist

RECEIVED
COUNTY BOARD OF APPEALS
1987 SEP 29 P 3 24

RE: NON JURY — 8700 3411 — TACO BELL CORP. FOR THE PETITION FOR SPECIAL HEARING

HEARING DATE: Wednesday, December 9, 1987, @ 9:30 a.m.

ON THE FOLLOWING: Appeal: 1 hour

Please see the below notations.

UPON RECEIPT OF THIS NOTICE: Counsel shall contact each other immediately to confirm calendar claim of not receiving notice will not
constitute reason for postponement.

If the above Hearing Date is not agreeable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment Office AS
SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS PRIOR TO 15 DAYS OF TRIAL should be directed to the attention of
Jobi Adams. POSTPONEMENTS WITHIN 15 DAYS OF TRIAL must be made to the attention of the Director of Central Assignments - Joyce Grinn - 494-3497.

SETTLEMENTS: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put
on the record if no order of satisfaction is filed prior to trial.

Form CA4

Jobi Adams — 494-2660
Civil Assignment Commissioner
Settlement Court

Maria Ercolano — 494-2662
Masters Assignment Clerk
Medical Records

TO:

Stanley S. Fine, Esq.
Barry Weiskopf, Esq.

Thomas J. Bollinger, Esq.
County Board of Appeals

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bosley Avenue
P.O. Box 6754
Towson, Maryland, 21204-0754
September 23, 1987.

Kathy Rushton — 494-2660

Assignment — Jury — Motions
Marcia Fennell
Assistant Clerk Typist

Irene Summers — 494-2661

Assignment — Non-Jury — Motions
Freddie Grove
Assistant Clerk Typist

RE: NON JURY — 8700 3411 — TACO BELL CORP. FOR THE PETITION FOR SPECIAL HEARING

HEARING DATE: Wednesday, December 9, 1987, @ 9:30 a.m.

ON THE FOLLOWING: Appeal: 1 hour

Please see the below notations.

UPON RECEIPT OF THIS NOTICE: Counsel shall contact each other immediately to confirm calendar claim of not receiving notice will not
constitute reason for postponement.

If the above Hearing Date is not agreeable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment Office AS
SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS PRIOR TO 15 DAYS OF TRIAL should be directed to the attention of
Jobi Adams. POSTPONEMENTS WITHIN 15 DAYS OF TRIAL must be made to the attention of the Director of Central Assignments - Joyce Grinn - 494-3497.

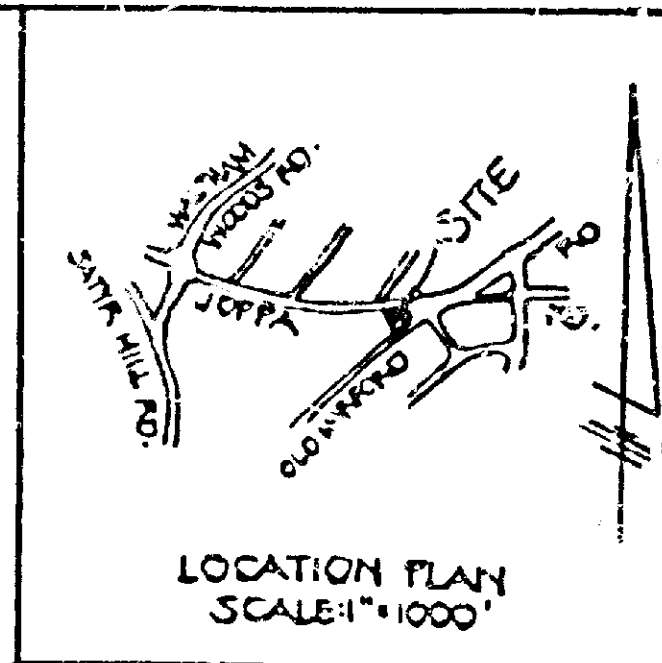
SETTLEMENTS: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put
on the record if no order of satisfaction is filed prior to trial.

TACO BELL CORP. SIGNAGE
2317 E. Joppa Road

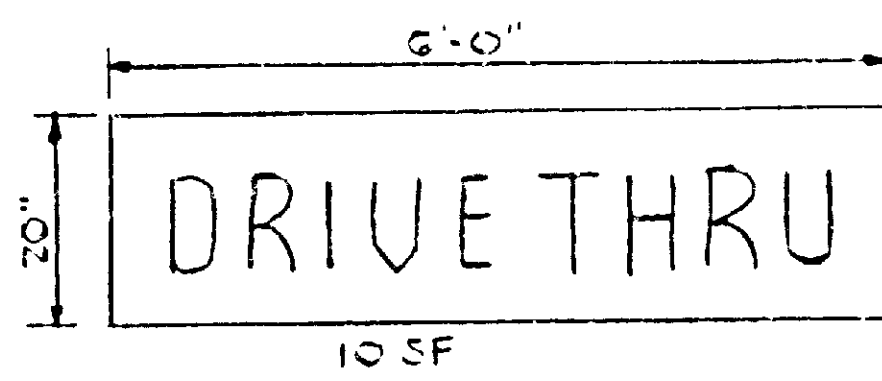
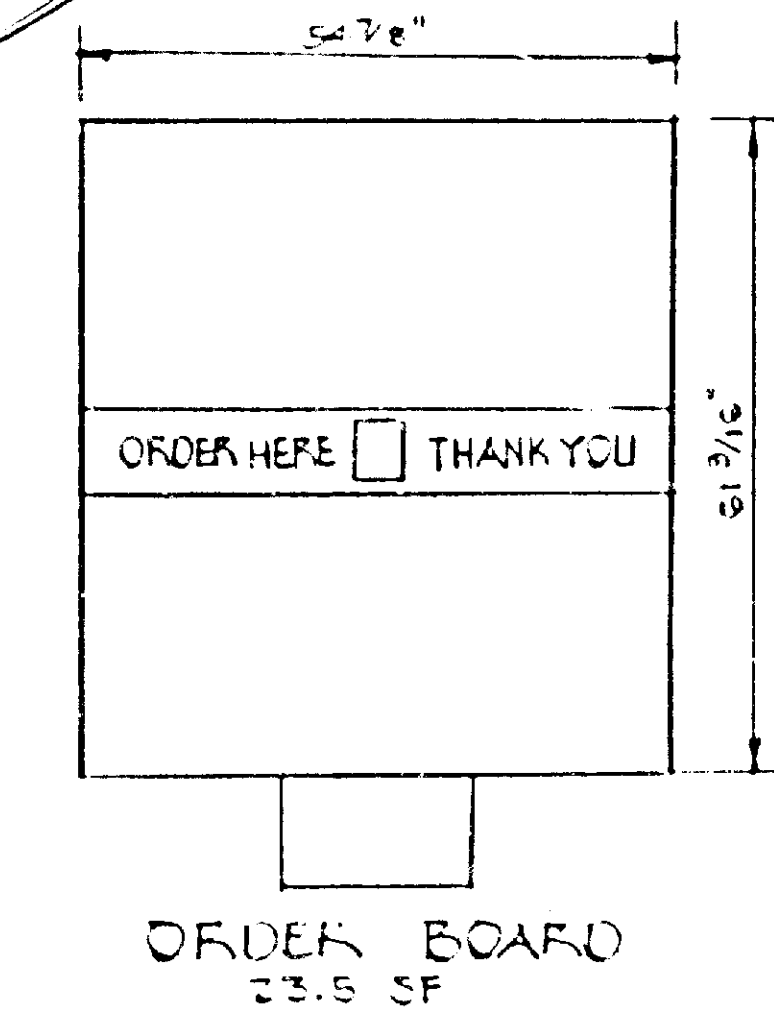
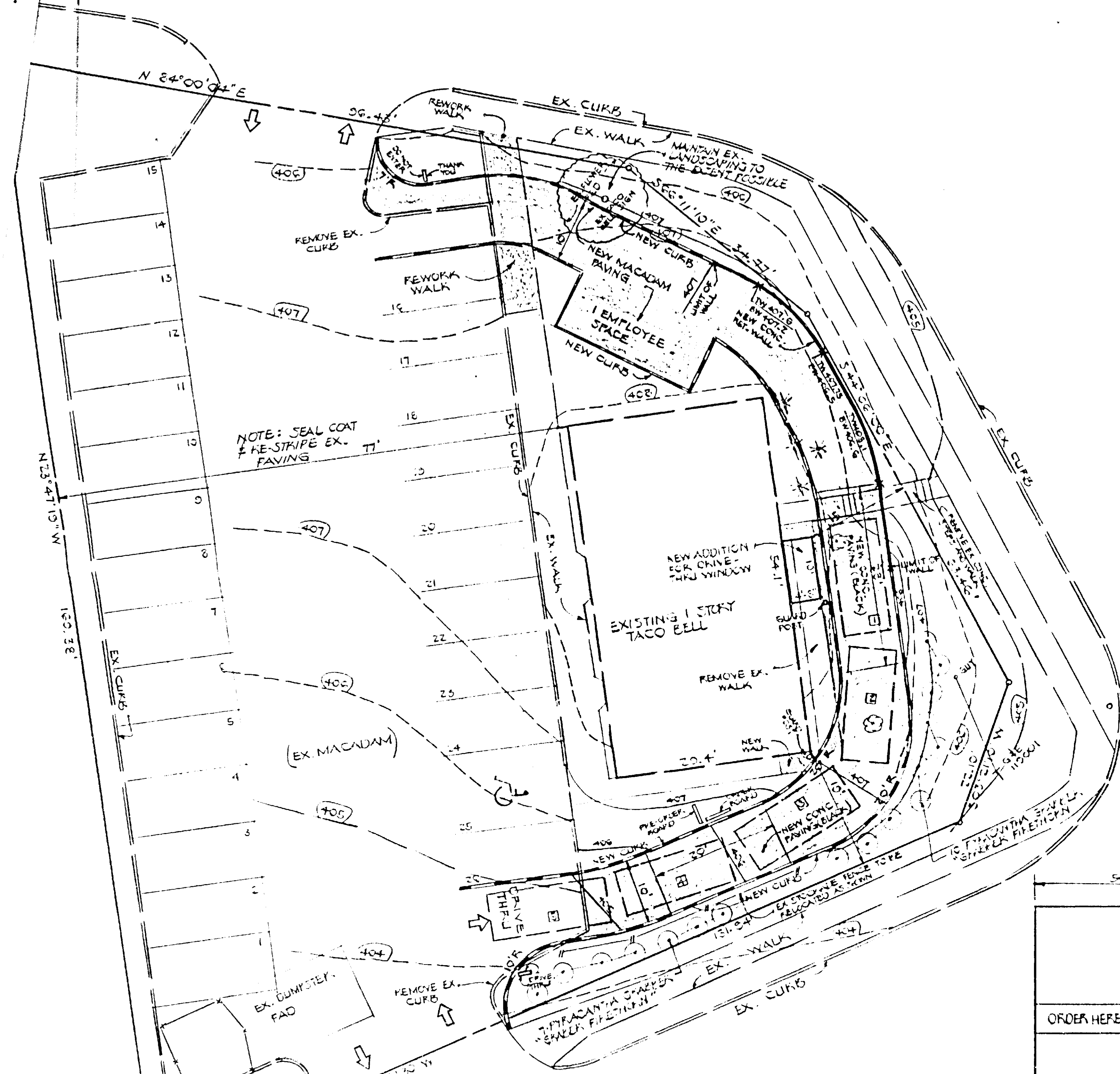
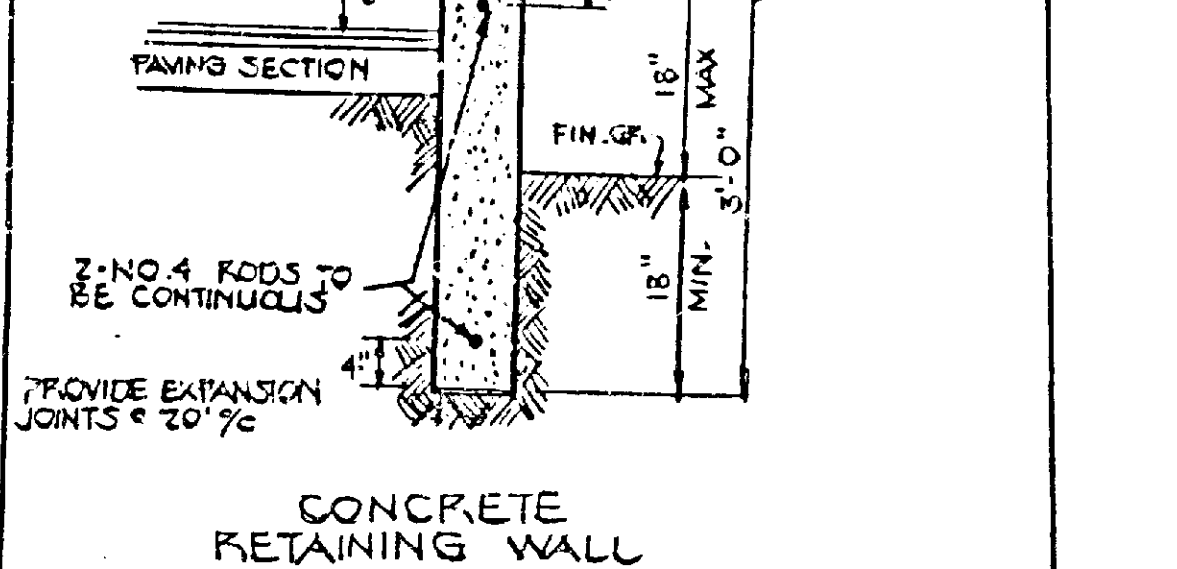
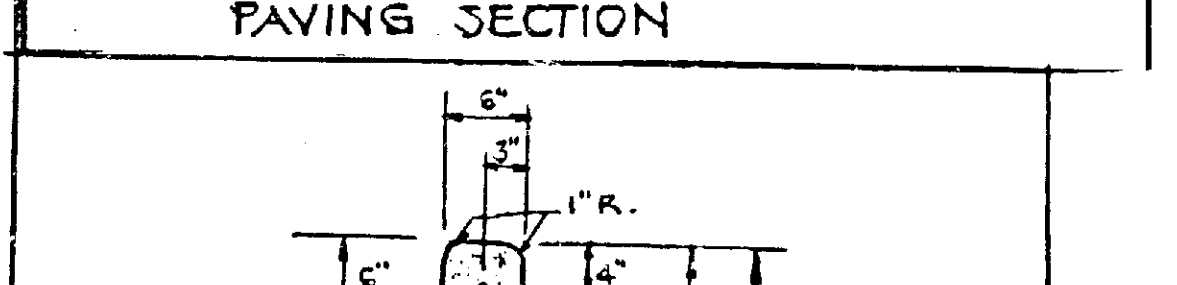
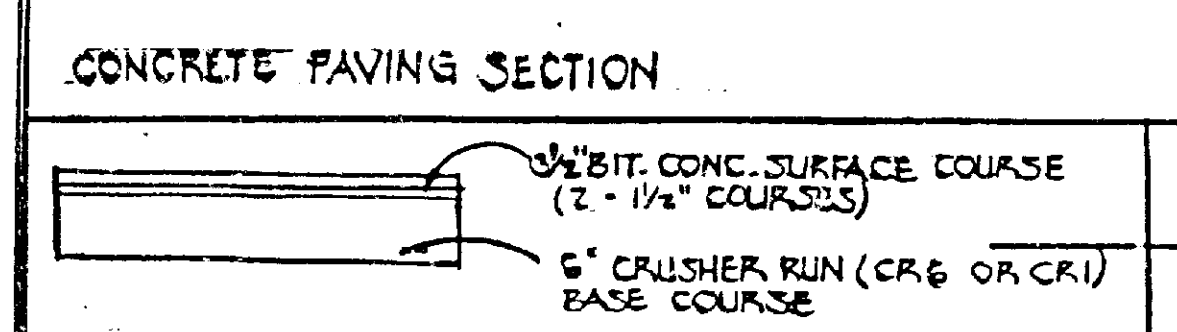
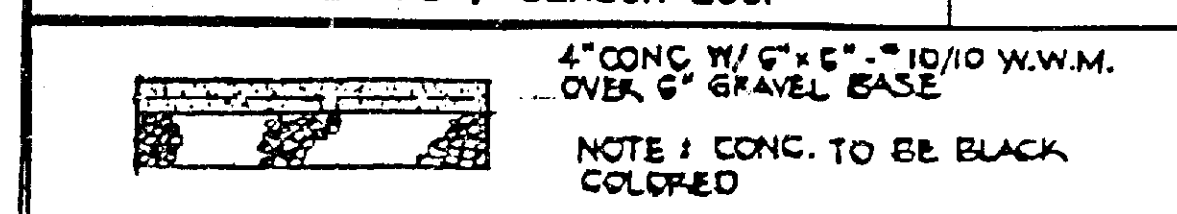
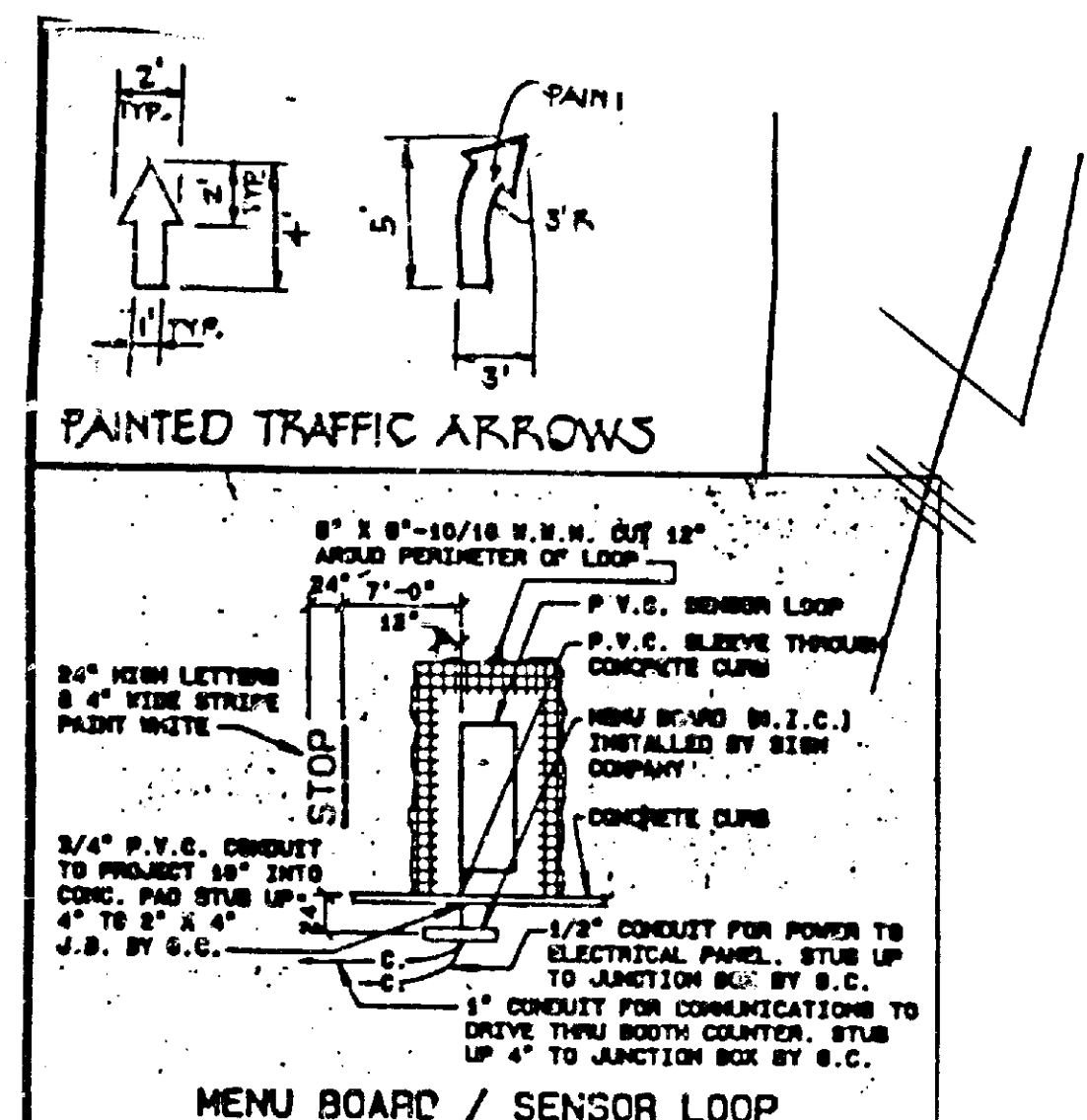
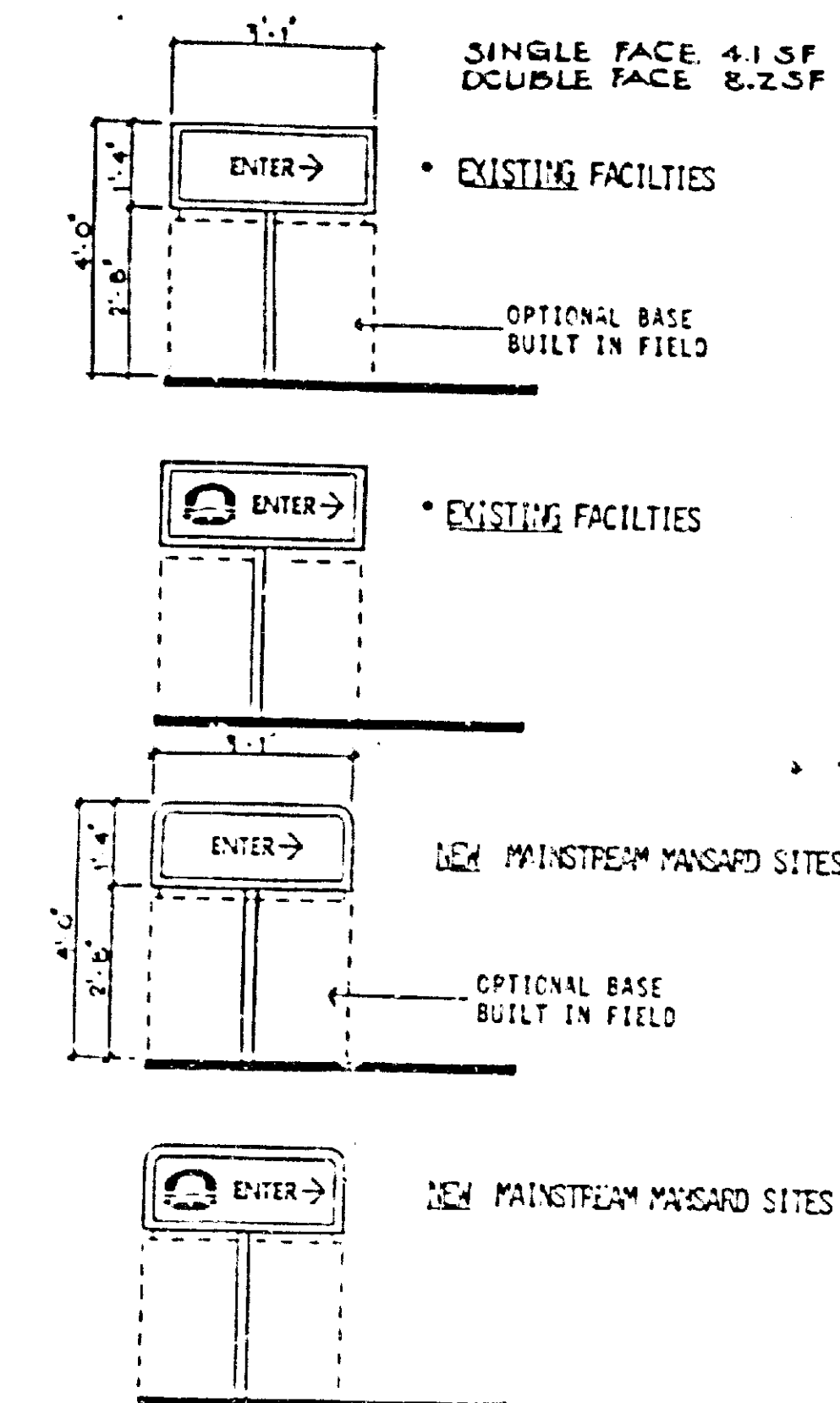
1 pylon sign (refaced)	69.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
2 directional signs (double-faced)	16.44 sq. ft.
Totals: 5 signs	132.54 sq. ft.

E. JOPPA ROAD
(70' R.W.)

LEGEND
EXIST. CONTOURS ———
PROP. CONTOURS ———
NEW CONCRETE CURB ———
NEW LT. POLE ———
NEW PAVING (MACADAM) ———
NEW CONC. PAVING OR WALK ———
DRIVE THRU STACKING SPACES ———
TRAFFIC ARROWS ———
DIR. NOT ENTER ———
DIRECTIONAL LETTERING
PAINTED WHITE (24" HIGH)



NOTES:
1. EX. ZONING BL-C52
2. GROSS AREA 0.375 AC. ±
3. BLOB AREA 1.937 SF
4. PAVING DATA
REQUIRED: 1037/50 ± 33
PROVIDED: 21 SPACES
5. NOTE: CONTRACTOR SHALL VERIFY LOCATION OF EXISTING UTILITY CONNECTIONS PRIOR TO BEGINNING WORK.
BENCH MARK
14567
RR SPIKE IN MAC. EDGE OF CONC. ELEV 402.840
GUTTER (4 SEAM) ON S. SIDE JOPPA ROAD
W. SIDE OLD HARFORD ROAD.
* VARIANCE GRANTED NOV 14, 1980
CASE # 81-25-A TO ALLOW 25 SP. IN LIEU OF REQ. 32 SPACES



SITE PLAN FOR
PROPOSED DRIVE-THRU
TACO BELL
2317 E. JOPPA ROAD
ELECT. DISTRICT 5 BALTO. CO, MARYLAND
WEIGHT/INCH
SCALE 1"=10'

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR PETITION FOR SPECIAL HEARING
SW/COR JOPPA ROAD AND
OLD HARFORD ROAD (2317 JOPPA ROAD)
AND VARIANCE
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT

CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Ct Doc. No. 44
Folio No. 281
File No. 87-CG-3411

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, Thomas J. Bollinger, and Harry E. Buchheister, Jr., constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Stanley S. Fine, Esquire, and Barry Weiskopf, Esquire, Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A., Tenth Floor, Sun Life Building, 20 S. Charles Street, Baltimore, MD 21201, Counsel for Petitioner; David D. Bock, Area Construction Manager, Taco Bell Corporation, 1940 Route 70 East, Suite 203, Cherry Hill, NJ 08003, Petitioner; Greater Parkville C/C, P.O. Box 28449, Baltimore, MD 21234, Protestants; Mr. Richard R. Elgin, Perring Park Community Assoc., 2509 Cider Mill Road, Baltimore, MD 21234, Protestant; Mr. Robert Ward, Woodcroft Civic Association, 2408 Burrigle Road, Baltimore, MD 21234, Protestant; Mr. William Gerhardt, 8821 Old Harford Road, Baltimore, MD 21234, Protestant; Mr. John E. Sinnott, Perring Park Community Association, 2314 Harford Hills Road, Baltimore, MD 21234, Protestant; Mr. Mariano Cuba, 8823 Old Harford Road, Baltimore, MD 21234, Protestant; Mr. Joseph Sullivan, 8825 Old Harford Road, Baltimore, MD 21234, Protestant; and Phyllis Cole Friedman, Esquire, Room 223, Courthouse, Towson, MD 21204, People's Counsel

Case No. 87-45-SPHA
Taco Bell Corporation

2.

for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

Richard R. Elgin
Richard R. Elgin
County Board of Appeals of Baltimore County
Room 200, Courthouse, Towson, MD 21204

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Stanley S. Fine, Esquire, and Barry Weiskopf, Esquire, Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A., Tenth Floor, Sun Life Building, 20 S. Charles Street, Baltimore, MD 21201, Counsel for Petitioner; Mr. David D. Bock, Area Construction Manager, Taco Bell Corporation, 1940 Route 70 East, Suite 203, Cherry Hill, NJ 08003, Petitioner; Greater Parkville C/C, P.O. Box 28449, Baltimore, MD 21234, Protestants; Mr. Richard R. Elgin, Perring Park Community Assoc., 2509 Cider Mill Road, Baltimore, MD 21234, Protestant; Mr. Robert Ward, Woodcroft Civic Association, 2408 Burrigle Road, Baltimore, MD 21234, Protestant; Mr. William Gerhardt, 8821 Old Harford Road, Baltimore, MD 21234, Protestant; Mr. John E. Sinnott, Perring Park Community Association, 2314 Harford Hills Road, Baltimore, MD 21234, Protestant; Mr. Mariano Cuba, 8823 Old Harford Road, Baltimore, MD 21234, Protestant; Mr. Joseph Sullivan, 8825 Old Harford Road, Baltimore, MD 21234, Protestant; and Phyllis Cole Friedman, Esquire, Room 223, Courthouse, Towson, MD 21204, People's Counsel for Baltimore County, on this 7th day of August, 1987.

Richard R. Elgin
Richard R. Elgin
County Board of Appeals of Baltimore County

Greater Parkville C/C
P.O. Box 28449, Baltimore, Md. 21234

Stanley S. Fine, Esquire, Attorney for Petitioner
Sun Life Bldg., 10th Floor, 20 S. Charles Street, Baltimore, Md. 21201

Mr. David D. Bock, Area Construction Manager
Taco Bell Corp., 1940 Route 70 East, Suite 203, Cherry Hill, NJ 08003

Peoples Counsel

Request Notification: Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois, Docket Clerk

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 214 Date of Posting: 7/28/87
Posted for: Special Hearing & Variance
Petitioner: Taco Bell Corp.
Location of property: 2317 E. Joppa Rd.
Location of Signs: 2317 E. Joppa Rd. & Old Harford Rd.
Remarks: 2317 E. Joppa Rd. & Old Harford Rd.
Posted by: *Richard R. Elgin* Date of return: 7/28/87
Number of Signs: 4

TO: Board of Appeals DATE: February 2, 1987

FROM: Office of Zoning

SUBJECT: PETITION FOR SPECIAL HEARING AND VARIANCE
SW/cor. of Joppa Road and Old Harford Road
(2317 E. Joppa Road)
9th Election District
Taco Bell Corporation - Petitioner
Case No. 87-45-SPHA

APPEAL FILED BY: Appellant/Protestant - Richard R. Elgin for the Perring Park Community Association

The following items are being transmitted in accordance with the appeal filed on the above-referenced case:

- 1) Petitions for Special Hearing and Zoning Variance
- 2) Description of Property
- 3) Certificates of Posting
- 4) Certificates of Publication
- 5) Baltimore County Zoning Advisory Committee Comments
- 6) Director of Planning & Zoning Comments
- 7) Entry of Appearance of People's Counsel for Baltimore County
- 8) Order of Zoning Commissioner
- 9) Notice of Appeal Filed on 2/02/87 by Appellant/Protestant - Richard R. Elgin for the Perring Park Comm. Assoc.
- 10) Petitioner's Exhibits as follows:

Exhibit 1 - Site Plan
Exhibits 2a thru 2c - Color Photos
Exhibit 3a through 3c - Color Photos
Exhibit 4 - Letter of support
Exhibit 5 - Breakdown of square footage for Signs
Exhibit 6 - Revised Site Plan

11) Letters from Protestants as follows:

Letter of Opposition from Elgin Cuba
Letter of Opposition from T. W. Greenwalt
Letter of Opposition from Mr. & Mrs. Sullivan
Two Letters of Opposition from various Citizens

*Mr. Richard R. Elgin, Appellant/Protestant
Perring Park Comm. Assoc.
2509 Cider Mill Rd., 21234
*Mr. John E. Sinnott, President
Perring Park Community Assoc.
2314 Harford Hills Rd., 21234
*Mr. Robert Ward, Vice President
Woodcroft Civic Assoc.
2408 Burrigle Rd., 21234
*Mr. Mariano Cuba
8823 Old Harford Rd., 21234
*Mr. William Gerhardt
8821 Old Harford Rd., 21234
*Mr. Joseph Sullivan
8825 Old Harford Rd., 21234

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 736-0660

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE 828-0060
May 27, 1986

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

DESCRIPTION FOR ZONING VARIANCE - 2317 E. JOPPA ROAD:

Beginning for the same at the point formed by the intersection of the south side of East Joppa Road (70 feet wide) with the west side of Old Harford Road (60 feet wide) thence (1) South 66 degrees 11 minutes 10 seconds East 34.77 feet (2) South 44 degrees 06 minutes 00 seconds East 63.46 feet (3) South 03 degrees 21 minutes 10 seconds West 22.10 feet (4) South 50 degrees 48 minutes 30 seconds West 131.94 feet (5) North 23 degrees 47 minutes 19 seconds West 169.38 feet and (6) North 84 degrees 00 minutes 04 seconds East 96.43 feet to the place of beginning.

Malcolm E. Hudkins
Registered Surveyor #5095

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCES
SW/Corner of Joppa Rd. & Old
Harford Rd. (2317 E. Joppa Rd.)
9th District

TACO BELL CORP., Petitioner : Case No. 87-45-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zirkmann
Peter Max Zirkmann
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 25th day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, P.A., 222 E. Redwood St., Suite 300, Baltimore, MD 21202, Attorney for Petitioner.

Peter Max Zirkmann
Peter Max Zirkmann

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

July 7, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES
SW/cor. of Joppa Rd. and Old Harford Rd.
(2317 East Joppa Rd.)
9th Election District
Taco Bell Corp. - Petitioner
Case No. 87-45-SPHA

TIME: 10:45 a.m.

DATE: Monday, August 18, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Richard R. Elgin
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

DATE: ACCOUNT:
AMOUNT: \$
RECEIVED FROM:
FOR:
VALIDATION OR SIGNATURE OF CASHIER:

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 29911

DATE: ACCOUNT:
AMOUNT: \$
RECEIVED FROM:
FOR:
VALIDATION OR SIGNATURE OF CASHIER:

To whom it may concern:

The following Baltimore County residence and community association, which is entering an appeal to the Baltimore County Board of Appeals regarding the above-captioned matter, hereby certifies that it is a bona fide resident of Baltimore County, Maryland.

Richard R. Elgin
Richard R. Elgin
Perring Park Community Assoc.
2509 Cider Mill Rd., 21234

John E. Sinnott
John E. Sinnott
Perring Park Community Assoc.
2314 Harford Hills Rd., 21234

Robert Ward
Robert Ward
Woodcroft Civic Assoc.
2408 Burrigle Rd., 21234

Mariano Cuba
Mariano Cuba
8823 Old Harford Rd., 21234

William Gerhardt
William Gerhardt
8821 Old Harford Rd., 21234

Joseph Sullivan
Joseph Sullivan
8825 Old Harford Rd., 21234

TACO BELL CORP. SIGNAGE
2317 E. Joppa Road

1 pylon sign (refaced)	69.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
2 directional signs (double-faced)	16.44 sq. ft.
Totals: 5 signs	132.54 sq. ft.

August 29, 1986
Page 2

I am enclosing some guest cards which I hope you will use. While in the store, please introduce yourself to Don.

Very truly yours,

Bruce J. O'Brien
District Manager

BJO/scp

Enclosures

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 31, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 31, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

35.25



Baltimore-Washington Area
Taco Bell Corp.
10 Piquette Hill (Nac) #20
Serving Virginia 21210
Telephone 703 450 2377

August 29, 1986

Ms. Virginia Schrell
8814 Ashford Road
Baltimore, Maryland 21234

Dear Ms. Schrell:

First, please let me apologize if I have misspelled your name. I am reading from a rather faint copy of the petition you have filed concerning our application for a zoning variance for our location at 2317 East Joppa Road.

As the District Manager whose area of responsibility includes the Joppa Road location, I found the issues you have raised to be very disturbing. It is Taco Bell's policy to be a good corporate neighbor wherever we do business. This, after all, is only good business policy, since our neighbors are also our customers. Based upon your comments, we have not been entirely successful in fulfilling that obligation.

I have had a lengthy conversation with unit manager, Don Schaffer, (who is fairly new to this restaurant) concerning our responsibilities to you, our neighbors. Don will be responsible for insuring that we keep the surrounding residences free of litter (whether it be Taco Bell litter or not). Night managers have been instructed to make regular checks of the parking area to control loitering, noise levels, etc., and to call the police if necessary. Before long, I hope, word will spread that Taco Bell is not the place to "hang out." We have contacted our trash hauler, who has promised to reroute his truck so that trash will not be picked up before 7:00 a.m. I am also doing some research on late night sales at this unit. It is possible that, if we are successful in opening a drive thru, we can close the dining room earlier. Experience at other stores indicates that this would reduce the loitering problem.

As you know, we will be making a presentation of our plans to the community on September 10, 1986, to which a representative of the Old Harford Road/Ashford Road residents has been invited. I hope this meeting will allow us to fully understand each other.

If you find that we are not measuring up to the commitments made in this letter, or if there are other problems, please call Don Schaffer at 668-5882, so that we can pinpoint responsibility and take corrective action. Don is normally in the restaurant on Tuesday through Saturday.

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

ZONING OFFICE

August 7, 1987

Mr. Richard R. Elgin
Perring Park Community Association
2509 Cider Mill Road
Baltimore, MD 21234

RE: Case No. 87-45-SFHA
Taco Bell Corporation

Dear Mr. Elgin:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Richard R. Elgin
Richard R. Elgin
Administrative Secretary

Encl.

cc: Mr. Robert Ward
Mr. William Gerhart
Mr. John E. Sirovack
Mr. Mariano Cuba
Mr. Joseph Sullivan
Greater Parkville CAC
Phyllis Cole Friedman, Esquire
Norman E. Gerber
James G. Howell
J. Robert Haines
John M. H. Jung
James E. Dyer
Margaret E. de Bois

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

August 17, 1987

Barry Weiskopf, Esquire
Tenth Floor - Sun Life Building
20 South Charles Street
Baltimore, MD 21201

RE: Case No. 87-45-SFHA
Taco Bell Corporation

Dear Mr. Weiskopf:

The Board has considered your Motion to Revise the Order of this Board dated July 7, 1987, and will deny this Motion.

The Board had before it sworn testimony that the hearing and the date were discussed at a meeting attended by Petitioner's Counsel and that notice of the hearing date was sent not only to Petitioner's Counsel but to the Petitioner personally. An effort was made on the day of the hearing to have Petitioner represented and this was not accomplished.

The Board can therefore find no justification for revising its decision in this matter and your Motion to Revise Order is hereby denied.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

WTH:kw

cc: Stanley S. Fine, Esquire



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

March 30, 1988

Mr. Richard Elgin
2509 Cider Mill Road
Baltimore, MD 21234

RE: Case No. 87-45-SFHA
Taco Bell Corporation

Dear Mr. Elgin:

As promised, enclosed is a copy of the Stipulation of Dismissal which was forwarded to the Circuit Court for Baltimore County on October 10, 1987, to dismiss the appeal taken to the Circuit Court by Taco Bell Corporation.

Sincerely,

Richard R. Elgin
Richard R. Elgin
Administrative Secretary

Encl.



Baltimore County, Maryland
PEOPLE'S COUNCIL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
People's Council

PETER MAX ZIMMERMAN
Deputy People's Council

October 16, 1987

The Honorable
Suzanne Bensch, Clerk
Circuit Court for Baltimore County
Courts Building
Towson, Maryland 21204

RE: In the Matter of the Application
of Taco Bell Corporation for
Special Review - CAC, Case
No. 87-45-SFHA

Madam Clerk:

Enclosed for you please find a Stipulation of Dismissal of the above-captioned case which has been signed by all counsel. Under Rule 2-601(a), an order does not appear to be required.

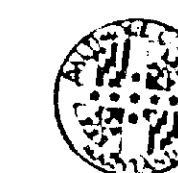
Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Council

Enclosure

cc: Stanley S. Fine, Esquire
Barry Weiskopf, Esquire
Clerk, Maryland Circuit Court for Baltimore County
10th Floor - Sun Life Building
20 S. Charles Street
Baltimore, Maryland 21201

PSZ:sh



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

February 3, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 21(c), COUNTY COUNCIL BILL #60-79.

CASE NO. 87-45-SFHA

TACO BELL CORPORATION

2317 E. Joppa Rd. and Old Harford Rd.
(2317 E. Joppa Rd.)

1st District

COUNCIL allow detention facility & an addition to the building
parking area signs and parking spaces

ASSIGNED FOR

1. Mr. Richard Elgin

Mr. Richard Elgin

Mr. William Gerhart

Mr. John E. Sirovack

Mr. Mariano Cuba

Mr. Joseph Sullivan

Greater Parkville CAC

Phyllis Cole Friedman, Esquire

Norman E. Gerber

James G. Howell

J. Robert Haines

John M. H. Jung

James E. Dyer

Margaret E. de Bois

Office of Appeal -
with case file

LAW OFFICES
KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.
TENTH FLOOR, SUN LIFE BUILDING
20 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 539-6967

ROLOMON KAPLAN
COUNSEL

August 5, 1987

County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

Re: In the Matter of the Application of Taco Bell Corporation
Case No. 87-45-SPHA

Dear Sir/Madam:

I am enclosing herewith for filing in the above-referenced matter a Motion to Revise Order and an Order of Appeal. Please note that the Order of Appeal is being filed on this date in the Circuit Court for Baltimore County. Therefore, I would ask for a decision as soon as possible on the Motion to Revise Order.

Thank you for your anticipated cooperation in this matter.

Very truly yours,
Barry Weiskopf

Barry Weiskopf

Enc. 1
cc: Stanley S. Fine, Esquire

RECEIVED
COUNTY BOARD OF APPEALS
AUG 13 1987

IN THE MATTER OF * BEFORE THE
THE APPLICATION OF * COUNTY BOARD OF APPEALS
TACO BELL CORPORATION * OF BALTIMORE COUNTY
FOR PETITION FOR SPECIAL HEARING *
SW/COR JOPPA ROAD AND * Case No. 87-45-SPHA
OLD HARFORD ROAD (2317 Joppa Rd) *
AND VARIANCE *
9th ELECTION DISTRICT *
6th COUNCILMANIC DISTRICT *

RECEIVED
COUNTY BOARD OF APPEALS
AUG 13 1987

MOTION TO REVISE ORDER

Taco Bell Corporation, Petitioner, by its attorneys, Stanley S. Fine, Barry Weiskopf and Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A. move this Board to revise its Order dated July 7, 1987 in the above-referenced matter pursuant to Rule 10 of the Rules of Practice and Procedure of the County Board of Appeals, and as reasons therefore state the following:

1. This Motion is filed within thirty (30) days of the entry of the Order.
2. Neither Petitioner nor its undersigned counsel received notice of the date of the proceedings as required under Rule 2A of the Rules of Practice and Procedure of the County Board of Appeals.
3. The Order entered by the Board in this matter is without prejudice.
4. The failure by the Petitioner or its counsel to receive the notice amounts to such mistake or irregularity as to justify this Board revising its judgment to permit a rehearing of this matter.

WHEREFORE, your Petitioner prays:

A. That this Board revise its Order dated July 7, 1987 to permit a hearing of this matter; and

B. For such further relief as this Board deems just.

Stanley S. Fine
Stanley S. Fine
Barry Weiskopf
Barry Weiskopf
Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.
KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.
Tenth Floor - Sun Life Building
20 South Charles Street
Baltimore, Maryland 21201
301/539-6967
Attorneys for Petitioner

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

August 7, 1987

Re: Case No. 87-45-SPHA
Taco Bell Corporation

Barry Weiskopf, Esquire
KAPLAN, HEYMAN, GREENBERG,
ENGELMAN & BELGRAD, P.A.
Tenth Floor, Sun Life Building
20 S. Charles Street
Baltimore, MD 21201

Dear Mr. Weiskopf:

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the appeal which you have taken to the Circuit Court for Baltimore County in the above entitled matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

William A. Belgrad
William A. Belgrad
Administrative Secretary

AUGUST 11, 1986

THE CITIZENS LISTED ARE AGAINST THE FOLLOWING ZONING NOTICE
PROPERTY KNOWN AS TACO BELL AT THE INTERSECTION OF JOPPA ROAD
AND BEDLINGTON AVENUE.

ZONING NOTICE
SPECIAL HEARING
ZONING COMMISSIONER TOWSON, M.D.
PLACE 111 W. CHESAPEAKE AVE.
COUNTY OFFICE BLDG.
TIME & DATE - MON. AUG. 18, 1986 - TIME 10:45 AM
CASE NUMBER 87-45-SPHA

TO REMOVE RESTRICTION NO. 1 IN ORDER DATED 11-40-80 IN CASE NO. 81-88A, AND TO AMEND THE SITE PLAN TO PERMIT A "DRIVE-THRU" FACILITY AND AN ADDITION TO THE BUILDING.

WE THE PEOPLE OF THE COMMUNITY FEEL THAT RESTRICTION NO. 1 SHOULD REMAIN IN EFFECT INDEFINITELY DUE TO THE FACT OF NOISE, EXCESSIVE TRAFFIC, TRASH, AND UNWANTED PEOPLE WALKING THROUGH THE AREA ALL HOURS OF THE NIGHT.

TRAFFIC -- ACCIDENT RATE HAS INCREASED DRAMATICALLY AT ALL ENTRANCES, EXITS, AND INTERSECTIONS.

NOISE -- SOME NEIGHBORHOOD RESIDENCE CANNOT EVEN OPEN THEIR WINDOWS AT NIGHT DUE TO THE LOUD LANGUAGE, AND YOUNGS ON THE PARKING LOT SQUEALING CAR TIRES.

TRASH -- THE NEIGHBORHOOD HAS BECOME A TRASH DUMPSTER; WITH ONE RESIDENT REMOVING 16 BAGS OF TRASH THIS YEAR. ALSO, THERE HAVE BEEN SEVERAL FIRES IN THE TACO BELL DUMPSTER. TACO BELL DOES NOT SELL BEER, BUT THE BEER BOTTLES IN THE AREA ARE SCATTERED ON LAWNS OF OLD HARFORD ROAD AND HAS INCREASED DRAMATICALLY.

UNWANTED PEOPLE

IT HAS BEEN NOTICED THAT PEOPLE USING THE TACO BELL PARKING LOT ARE NOT AWARE OF THE RESTROOM FACILITY. NUMEROUS PEOPLE HAVE BEEN SEEN URINATING ON THE LAWNS, BEHIND BUSHES, AROUND THE DUMPSTER, AND EVEN ON PRIVATE PROPERTIES.

IT HAS BECOME A HANG OUT FOR OLDER TEENAGERS IN THE EARLY MORNING HOURS. POLICE HAVE BEEN SUMMONS SEVERAL TIMES IN JUST A FEW YEARS.

NO WE THE CITIZENS OF THE COMMUNITY DO NOT WANT TO SEE RESTRICTION NO. 1 REMOVED. ROBBERY ALSO HAS INCREASED IN THE CLOSE AREA WITH TACO BELL BEING ROBBED SEVERAL TIMES IN JUST A FEW YEARS.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-0353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 1, 1986

Stanley S. Fine, Esquire
Kaplan, Heyman, Greenberg,
Engelman & Belgrad, P.A.
10th Floor - Sun Life Building
20 South Charles Street
Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES
SW/cor. of Joppa Rd. and Old Harford Rd.
(2317 East Joppa Rd.)
9th Election District
Taco Bell Corp. - Petitioner
Case No. 87-45-SPHA

Dear Mr. Fine:

Pursuant to our telephone conversation of this date, this letter is to confirm and advise everyone that this case has been scheduled for a continued hearing before Commissioner Arnold Jablon on Monday, November 3, 1986, at 1:30 p.m., in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

Very truly yours,

Margaret E. du Bois
Margaret E. du Bois
Hearings Clerk
Zoning Office

cc: Mr. David B. Beck, Area Construction Manager
Taco Bell Corporation
1940 Route 70 East
Suite 201
Cherry Hill, New Jersey 08003

Mr. Robert Ward, Vice President,
Woodcroft Civic Association
2408 Burrbridge Road
Baltimore, Maryland 21234

See page 2

Stanley S. Fine, Esquire
Kaplan, Heyman, Greenberg,
Engelman & Belgrad, P.A.

October 1, 1986
Page 2

cc: Mr. William Gerhardt
821 Old Harford Road
Baltimore, Maryland 21234

Mr. John F. Sinnott, President,
Perring Park Community Association
2314 Harford Hills Road
Baltimore, Maryland 21234

Mr. Richard Hein
2509 Bayview Road
Baltimore, Maryland 21234

People's Counsel for Baltimore County

TACO BELL CORPORATION
SW/cor. of Joppa Road and Old
Harford Road (2317 E. Joppa Road)

87-45-SPHA

9th Election District

FIN - to amend site plan approved in Case #81-88A
to permit drive-thru facility;
VAR - to permit 6 business signs in lieu of permitted
3 and to permit 27 parking spaces in lieu of
required 14

June 15, 1986
Petitions of Taco Bell Corp. to amend approved site plan of Case #81-88A to permit drive-thru facility and addition and for variances to permit 6 business signs in lieu of permitted 3 and 27 parking spaces in lieu of required 14.

January 12, 1987
Order of P.C. GRANTING Petition for Special Hearing to amend site plan and remove restrictions in Case #81-88A; GRANTING variances to permit business signs totaling 16, 13 sp. ft. in lieu of permitted 3 sp. ft. and of parking spaces in lieu of required 14 spaces, subject to restrictions.

February 2
Letter of Appeal to C.B. of A. filed by Stanley S. Fine, Esquire, and Barry Weiskopf, Esquire, for the Petitioner, Taco Bell Corporation, and William A. Belgrad, Esquire, for the People's Counsel for Baltimore County.

July 7
Hearing scheduled before C.B. of A. and continued hearing after indefinite waiting period due to non-appearance of Petitioner on the Council.

July 7
Order of the Board DENYING Petition.

August 7
Letter filed by Petitioner to appeal from Stanley S. Fine, Esquire, and Barry Weiskopf, Esquire, Counsel for Petitioner.

August 7
Letter filed by People's Counsel for Baltimore County.

August 7
Notice of the Board to interested parties.

September 7
Continuation of hearing before Board of Appeals filed in court, 1987.

October 7
Continuation of hearing before Board of Appeals filed in court, 1987.



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

June 30, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 439 -ZAC- Meeting of June 10, 1986
Property Owner: Taco Bell Corporation
Location: SW/C Joppa Rd. and Old Harford Rd.
Existing Zoning: B.L. - CS2
Proposed Zoning: Special Hearing to approve an amendment to the site plan and Order in Case No. 81-88-A to remove restriction #1 to allow a "drive thru" facility and an addition to the building and a Variance to permit a total sign square footage of 132.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs. The permit 27 parking spaces in lieu of the required 33 parking spaces.
Acres: 0.375 acres
District: 9th Election District

Re: Mr. Jablon:

We have reviewed the submitted site plan and have the following comments:

1. The site plan does not provide for sufficient stacking spaces from the order board for the drive-thru window.
2. The entrance and the exit for the drive-thru window do not provide a large enough radius; this will tend to cause congestion on Old Harford Road and Joppa Rd.
3. The proposed parking variance can be expected to cause parking problems in the area around the site.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 23, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Stanley S. Fine, Esquire
222 E. Redwood Street, Suite 300
Baltimore, Maryland 21202

RE: Item No. 439 - Case No. 87-45-SPHA
Petitioner: Taco Bell Corp.
Petitions for Special Hearing and Zoning Variance

Dear Mr. Fine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Hudkins Associates, Inc.
200 East Joppa Road, Room 101
Towson, Maryland 21204

Taco Bell Corp.
1940 Route 70 East, Suite 203
Cherry Hill, New Jersey 08003

AUGUST 11, 1986

THE CITIZENS LISTED ARE AGAINST THE FOLLOWING ZONING NOTICE
PROPERTY KNOWN AS TACO BELL AT THE INTERSECTION OF JOPPA ROAD - OLD HARFORD ROAD AND BEDLINGTON AVENUE.

ZONING NOTICE
SPECIAL HEARING
ZONING COMMISSIONER TOWSON, M.D.
PLACE 111 W. CHESAPEAKE AVE.
COUNTY OFFICE BLDG.
TIME & DATE - MON. AUG. 18, 1986 - TIME 10:45 AM
CASE NUMBER 87-45-SPHA

TO REMOVE RESTRICTION NO. 1 IN ORDER DATED 11-40-80 IN CASE NO. 81-88A, AND TO AMEND THE SITE PLAN TO PERMIT A "DRIVE-THRU" FACILITY AND AN ADDITION TO THE BUILDING.

WE THE PEOPLE OF THE COMMUNITY FEEL THAT RESTRICTION NO. 1 SHOULD REMAIN IN EFFECT INDEFINITELY DUE TO THE FACT OF NOISE, EXCESSIVE TRAFFIC, TRASH, AND UNWANTED PEOPLE WALKING THROUGH THE AREA ALL HOURS OF THE NIGHT.

- TRAFFIC -- ACCIDENT RATE HAS INCREASED DRASTICALLY AT ALL ENTRANCES, EXITS, AND INTERSECTIONS.
- NOISE -- SOME NEIGHBORHOOD RESIDENCE CANNOT EVEN OPEN THEIR WINDOWS AT NIGHT DUE TO THE FOUL LANGUAGE, AND YOUTHS ON THE PARKING LOT SQUEALING CAR TIRES.
- TRASH -- THE NEIGHBORHOOD HAS BECOME A TRASH DUMPSTER; WITH ONE RESIDENT REMOVING 16 BAGS OF TRASH THIS YEAR. ALSO, THERE HAVE BEEN SEVERAL FIRES IN THE TACO BELL DUMPSTER. TACO BELL DOES NOT SELL BEER; BUT THE BEER BOTTLES IN THE AREA ARE SCATTERED ON LAWNS OF OLD HARFORD ROAD AND HAS INCREASED DRASTICALLY.

UNWANTED PEOPLE

IT HAS BEEN NOTICED THAT PEOPLE USING THE TACO BELL PARKING LOT ARE NOT AWARE OF THE RESTROOM FACILITY. NUMEROUS PEOPLE HAVE BEEN SEEN URINATING ON THE LAWNS, BEHIND BUSHES, AROUND THE DUMPSTER, AND EVEN ON PRIVATE PROPERTIES.

IT HAS BECOME A HANG OUT FOR OLDER TEENAGERS IN THE EARLY MORNING HOURS. POLICE HAVE BEEN SUMMONED SEVERAL TIMES IN JUST A FEW YEARS.

NO WE THE CITIZENS OF THE COMMUNITY DO NOT WANT TO SEE RESTRICTION NO. 1 REMOVED. ROBBERY ALSO HAS INCREASED IN THE CLOSE AREA WITH TACO BELL BEING ROBBED SEVERAL TIMES IN JUST A FEW YEARS.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: July 21, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions Nos. 87-45-SPHA, 87-46-A and 87-47-A

As to these requests for variances, this office has no problem with the menu boards or directional signs; however, the proposed I.D. signs are much too large. This office is opposed not only to the excessive height but to the excessive size of these signs. Baltimore County's arterial roads have been blessed with a plethora of signage. Additionally we fail to see the need for such height and size considering the proposed locations of the signs.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEO:JGH:sjm

87-45-SPHA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of June, 1986.

Petitioner: Taco Bell Corp.
Petitioner's Attorney: Stanley S. Fine, Esquire

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee

August 29, 1986
Page 2

I am enclosing some guest cards which I hope you will use. While in the store, please introduce yourself to Don.

Very truly yours,

Bruce J. O'Brien
Bruce J. O'Brien
District Manager

BJO/scp

Enclosures

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 439, Zoning Advisory Committee Meeting of June 10, 1986

Property Owner: Taco Bell Corporation

Location: SW/C Joppa Rd. & Old Harford Rd. District 9th

Water Supply: Public Sewage Disposal: Public

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 439 Zoning Advisory Committee Meeting of 6/10/86
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WQ 2 4/86

TACO BELL CORP. SIGNAGE
2317 E. Joppa Road

1 pylon sign (refaced)	69.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
2 directional signs (double-faced)	16.44 sq. ft.
Totals: 5 signs	132.54 sq. ft.

TO: Board of Appeals
FROM: Office of Zoning
SUBJECT: PETITION FOR SPECIAL HEARING AND VARIANCE
SW/cor. of Joppa Road and Old Harford Road
(2317 E. Joppa Road)
9th Election District
Taco Bell Corporation - Petitioner
Case No. 87-45-SPHA

APPEAL FILED BY: Appellant/Protestant - Richard R. Elgin for the
Perring Park Community Association

The following items are being transmitted in accordance with the
appeal filed on the above-referenced case:

- 1) Petitions for Special Hearing and Zoning Variance
- 2) Description of Property
- 3) Certificates of Posting
- 4) Certificates of Publication
- 5) Baltimore County Zoning Advisory Committee Comments
- 6) Director of Planning & Zoning Comments
- 7) Entry of Appearance of People's Counsel for Baltimore County
- 8) Order of Zoning Commissioner
- 9) Notice of Appeal Filed on 2/02/87 by Appellant/Protestant -
Richard R. Elgin for the Perring Park Comm. Assoc.
- 10) Petitioner's Exhibits as follows:
Exhibit 1 - Site Plan
Exhibits 2a thru 2k - Color Photos
Exhibit 3a through 3c - Color Photos
Exhibit 4 - Letter of Support
Exhibit 5 - Breakdown of square footage for Signs
Exhibit 6 - Revised Site Plan
- 11) Letters from Protestants as follows:
Letter of Opposition from Elsie Cuba
Letter of Opposition from T. W. Chermowith
Letter of Opposition from Mr. & Mrs. Sullivan
Two Letters of Opposition from various Citizens

Mr. Richard A. Elgin, Appellant/Protestant
Perring Park Comm. Assoc.
2509 Cider Mill Rd., 21234

Mr. Robert Ward, Vice President
Woodcroft Civic Assoc.,
2408 Burridge Rd., 21234

Mr. William Gerhardt
8821 Old Harford Rd., 21234

Mr. John E. Sinnott, President
Perring Park Community Assoc.
2314 Harford Hills Rd., 21234

Mr. Mariano Cuba
6823 Old Harford Rd., 21234

Mr. Joseph Sullivan
8825 Old Harford Rd., 21234

Greater Parkville C/C
P.O. Box 28449, Baltimore, Md. 21234
Stanley S. Fine, Esquire, Attorney for Petitioner
Sun Life Bldg., 10th Floor, 20 S. Charles Street, Baltimore, Md. 21201

Mr. David D. Bock, Area Construction Manager
Taco Bell Corp., 1940 Route 70 East, Suite 203, Cherry Hill, NJ 08003

Peoples Counsel

Request Notification: Norman E. Gerber
James Howell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois, Docket Clerk

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR PETITION FOR SPECIAL HEARING
SW/COR JOPPA ROAD AND
OLD HARFORD ROAD (2317 Joppa Road)
AND VARIANCE
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF BALTIMORE COUNTY

* Case No. 87-45-SPHA

PETITION FOR APPEAL FROM DECISION OF COUNTY
BOARD OF APPEALS FOR BALTIMORE COUNTY

The Petition for Appeal of Taco Bell Corporation, Appellant, by
its attorneys, Stanley S. Fine, Barry Weiskopf and Kaplan, Heyman, Greenberg,
Engelman & Belgrad, P.A., respectfully represents unto this Honorable Court as
follows:

1. That your Appellant is the owner of the property known as 2317
Joppa Road located in Baltimore County, Maryland on which, your Appellant
operates a Taco Bell fast food Mexican restaurant.
2. Your Petitioner applied for a special acceptance and variance
to permit Appellant to construct on the property a drive-through window.
3. The Petition was filed in a timely manner; however, neither
Appellant nor its undersigned counsel received notice of the date of the
proceedings as required under Rule 2A of the Rules of Practice and Procedure
of the County Board of Appeals.
4. The Order entered by the County Board of Appeals in this matter
is without prejudice.

RECEIVED
COUNTY BOARD OF APPEALS
1987 JUN 18 P 1:09

5. The failure by the County Board of Appeals to properly notify
Petitioner or its counsel amounts to such mistake or irregularity as to
justify this Court in reversing the decision of the County Board of Appeals
and remanding this case for further proceedings.

WHEREFORE, your Appellant prays:

A. That this Court reverse the decision of the County Board of
Appeals for Baltimore County in Case No. 87-45-SPHA and remand the case for
further proceedings, including a proper hearing.

B. That the Appellant be granted such other and further relief as
the nature of its cause may require.

STANLEY S. FINE

BARRY WEISKOPF

KAPLAN, HEYMAN, GREENBERG, ENGELMAN &
BELGRAD, P.A.
10th Floor - Sun Life Building
20 South Charles Street
Baltimore, Maryland 21201
301/539-6967

Attorneys for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of August, 1987, a copy of
the foregoing Petition for Appeal from the Decision of the County Board of
Appeals for Baltimore County was mailed by first class mail, post prepaid to
the County Board of Appeals for Baltimore County, Room 200, Court House,
Towson, Maryland 21204.

BARRY WEISKOPF

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR SPECIAL HEARING TO AMEND
EXISTING SITE PLAN & VARIANCES
ON PROPERTY LOCATED ON THE SW/
CORNER OF JOPPA ROAD AND OLD
HARFORD ROAD (2317 Joppa Road)
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT
TACO BELL CORP. - PETITIONER-
PLAINTIFF
ZONING FILE NO. 87-45-SPHA

CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
CG Doc. No. 44
Folio No. 281
File No. 87-CG-3411

PROCEEDINGS BEFORE THE ZONING COMMISSIONER
AND THE BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, Thomas J. Bollinger, and Harry E.
Buchheister, Jr., constituting the County Board of Appeals of Baltimore County,
and in answer to the Order for Appeal directed against them in this case, here-
with return the record of proceedings had in the above-entitled matter, consisting
of the following certified copies or original papers on file in the Zoning Office
of Baltimore County:

No. 87-45-SPHA

June 30, 1986
Petitions of Taco Bell Corporation for a special hearing
to approve amendment to site plan and Order in Case
No. 81-88-A to remove restriction #1 to allow a "drive-
thru" facility and addition to building; and for variances
to permit total sign square footage of 132.54 sq. ft.
in lieu of the allowed 100 sq. ft., to permit 5 other
business signs in lieu of the allowed 3, and to permit
27 parking spaces in lieu of the allowed 33.

June 30
Order of the Zoning Commissioner directing advertisement
and posting of property - date of hearing set for
August 18, 1986 at 10:45 a.m.

July 7
Certificate of Posting of property - filed

July 21
Comments of Baltimore County Director of Planning - filed

July 23
Comments of Baltimore County Zoning Plans Advisory
Committee - filed

Case No. 87-45-SPHA
Taco Bell Corporation

July 31, 1986
Certificate of Publication in newspaper - filed

August 18
At 10:45 a.m., hearing held on petitions by Zoning
Commissioner

January 12, 1987
Order of the Zoning Commissioner GRANTING the Petition
for Special Hearing to remove restriction #1 from
Order in Case No. 81-88-A and to amend site plan to
permit drive-thru; additionally, GRANTING variances to
permit other business signs totaling 116.10 sq. ft. in
lieu of permitted 100 sq. ft. and 27 parking spaces in
lieu of the required 33 spaces, subject to restriction.

February 2
Letter of Appeal to the C.B. of A. from Richard R.
Elgin, William Gerhardt, Mariano C. Cuba, Joseph
Sullivan, Perring Park C/A, Greater Parkville C/C,
and Woodcroft C/A, Protestants

July 1
Hearing scheduled before the County Board of Appeals;
Board convened hearing after 45-minute waiting period
due to non-appearance of Petitioner or his Counsel

July 7
Order of the Board of Appeals DISMISSING Petition.

August 6
Order for Appeal to the Circuit Court for Baltimore
County from Stanley S. Fine, Esquire, and
Barry Weiskopf, Esquire, Counsel for Petitioner

August 18
Petition to accompany Order for Appeal filed in the
Circuit Court for Baltimore County

August 7
Certificate of Notice sent to interested parties.

September 4
Transcript of testimony filed.

September 4
No exhibits presented before the County Board of Appeals.

September 4
Record of Proceedings filed in the Circuit Court for
Baltimore County

Record of proceedings pursuant to which said Order was entered and
upon which said Board acted are hereby forwarded to the Court (no exhibits were
entered into evidence before the Board).

Respectfully submitted,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
County Board of Appeals
of Baltimore County

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR SPECIAL HEARING

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE COUNTY
* Case No. 87-CG-3411

STIPULATION OF DISMISSAL

The undersigned counsel for Petitioner and Respondent in the
above-captioned matter hereby stipulate to the dismissal of this action
pursuant to Maryland Rule 2-506(a), with prejudice.

STANLEY S. FINE

BARRY WEISKOPF

KAPLAN, HEYMAN, GREENBERG, ENGELMAN &
BELGRAD, P.A.
10th Floor - Sun Life Building
20 S. Charles Street
Baltimore, Maryland 21201
301/539-6967

Attorneys for Taco Bell Corporation

PETER MAX ZIMMERMAN

Esq., 103, Court House

Towson, Maryland 21204

Deputy Peoples Counsel



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
410 3353

ARNOLD JAILON
ZONING COMMISSIONER

February 2, 1987

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Stanley S. Fine, Esquire
Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.
Sun Life Bldg., 10th Floor
20 S. Charles Street
Baltimore, Maryland 21201

Mr. David D. Bock, Area Construction Manager
Taco Bell Corporation
1940 Route 70 East, Suite 203
Cherry Hill, New Jersey 08003

Mr. John E. Sinnott, President
Perring Park Community Assoc.
2314 Harford Hills Road
Baltimore, Maryland 21234

Greater Parkville C/C
P.O. Box 28449
Baltimore, Maryland 21234

William Gerhardt, Esquire,
Peoples Counsel for Baltimore County

Mr. Richard R. Elgin
2509 Cider Mill Rd., 21234

Mr. William Gerhardt
8821 Old Harford Rd., 21234

Mr. Mariano C. Cuba
6823 Old Harford Rd., 21234

Mr. Joseph Sullivan
8825 Old Harford Rd., 21234

Mr. Robert Ward, Vice Pres.
Woodcroft Civic Association
2408 Burridge Road, 21234

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES
A copy of Joppa Road and Old Harford Road
(2317 E. Joppa Road)
9th Election District
Taco Bell Corporation - Petitioner
Case No. 87-45-SPHA
Record of Proceedings, including a copy of the
Order of the Zoning Commissioner, dated August 6, 1986.

For the Petitioner and Respondent:

It is hereby stipulated that on February 2, 1987, an appeal was filed by
Richard R. Elgin, Appellant, in Case No. 87-45-SPHA, before the Baltimore
County Zoning Commissioner, in the above-referenced case.

And, it is further stipulated that the date and time of the appeal hearing when it
has been scheduled by the Baltimore County Board of Appeals is as follows:

Very truly yours,

Arnold Jailon
ZONING COMMISSIONER
For the Zoning Commission

IN THE MATTER OF
THE APPLICATION OF
TACO BELL CORPORATION
FOR PETITION FOR SPECIAL HEARING
SW/COR JOPPA ROAD AND
OLD HARFORD ROAD (2317 Joppa Rd)
AND VARIANCE
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF BALTIMORE COUNTY

* Case No. 87-45-SPHA

RECEIVED
COUNTY BOARD OF APPEALS
1987 AUG -6 P 3 04

ORDER FOR APPEAL BY TACO BELL CORPORATION

Madam Clerk:

Please enter an appeal on behalf of Taco Bell Corporation, Petitioner,
from the Order of the County Board of Appeals of Baltimore County, passed in
the above case on July 7, 1987.

15/
STANLEY S. FINE

15/
BARRY WEISKOPF

Kathy Summers, Esq., Clerkman & Belgrad, P.A.

KAPLAN, HEYMAN, GREENBERG, ENGELMAN &
BELGRAD, P.A.
Tenth Floor - Sun Life Building
20 South Charles Street
Baltimore, Maryland 21201
301/539-6967

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 1987, a copy
of the foregoing Order for Appeal was hand-delivered to the County Board of

Appeals of Baltimore County, Room 200, Court House, Towson, Maryland 21204,
prior to the filing of this Order of Appeal.

BARRY WEISKOPF

2/9/87 - Following notified of hearing set for Wednesday, July 1, 1987, at 10 a.m.

Richard Elgin
Robt. Ward
Wm. Gerhardt
John Sinnott
Mariano Cuba
Jos. Sullivan
Greater Parkville
Stanley Fine, Esq.
David Bock

People's Counsel
Norman Gerber, J. Hoswell
A. Jablon, J. Jung, J. Dyer, M. duBois

Form CA4

Jobi Adams — 494-2660
Civil Assignment Commissioner
Settlement Court

Maria Ercolano — 494-2662
Masters Assignment Clerk
Medical Records

TO:

Stanley S. Fine, Esq.
Barry Weiskopf, Esq.

Thomas J. Bollinger, Esq.

County Board of Appeals

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bosley Avenue
P.O. Box 6754
Towson, Maryland, 21204-0754

September 23, 1987.

Kathy Rushton — 494-2660

Assignment — Jury — Motions
Marcia Fennell
Assistant Clerk Typist

Irene Summers — 494-2661

Assignment — Non-Jury — Motions
Freddie Grove
Assistant Clerk Typist

RECEIVED
COUNTY BOARD OF APPEALS
1987 SEP 29 P 3 24

RE: NON JURY — 8700 3411 — TACO BELL CORP. FOR THE PETITION FOR SPECIAL HEARING

HEARING DATE: Wednesday, December 9, 1987, @ 9:30 a.m.

ON THE FOLLOWING: Appeal: 1 hour

Please see the below notations.

UPON RECEIPT OF THIS NOTICE: Counsel shall contact each other immediately to confirm calendar claim of not receiving notice will not
constitute reason for postponement.

If the above Hearing Date is not agreeable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment Office AS
SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS PRIOR TO 15 DAYS OF TRIAL should be directed to the attention of
Jobi Adams. POSTPONEMENTS WITHIN 15 DAYS OF TRIAL must be made to the attention of the Director of Central Assignments - Joyce Grinn - 494-3497.

SETTLEMENTS: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put
on the record if no order of satisfaction is filed prior to trial.

Form CA4

Jobi Adams — 494-2660
Civil Assignment Commissioner
Settlement Court

Maria Ercolano — 494-2662
Masters Assignment Clerk
Medical Records

TO:

Stanley S. Fine, Esq.
Barry Weiskopf, Esq.

Thomas J. Bollinger, Esq.

County Board of Appeals

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bosley Avenue
P.O. Box 6754
Towson, Maryland, 21204-0754

September 23, 1987.

Kathy Rushton — 494-2660

Assignment — Jury — Motions
Marcia Fennell
Assistant Clerk Typist

Irene Summers — 494-2661

Assignment — Non-Jury — Motions
Freddie Grove
Assistant Clerk Typist

RE: NON JURY — 8700 3411 — TACO BELL CORP. FOR THE PETITION FOR SPECIAL HEARING

HEARING DATE: Wednesday, December 9, 1987, @ 9:30 a.m.

ON THE FOLLOWING: Appeal: 1 hour

Please see the below notations.

UPON RECEIPT OF THIS NOTICE: Counsel shall contact each other immediately to confirm calendar claim of not receiving notice will not
constitute reason for postponement.

If the above Hearing Date is not agreeable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment Office AS
SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS PRIOR TO 15 DAYS OF TRIAL should be directed to the attention of
Jobi Adams. POSTPONEMENTS WITHIN 15 DAYS OF TRIAL must be made to the attention of the Director of Central Assignments - Joyce Grinn - 494-3497.

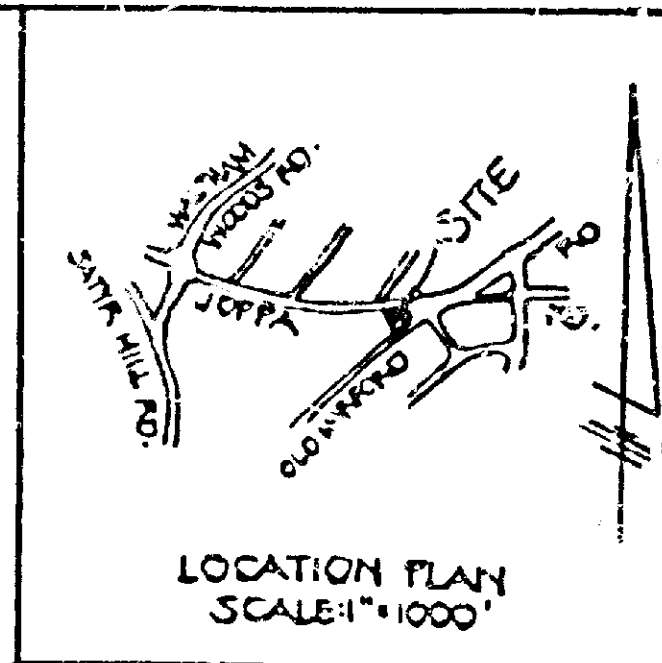
SETTLEMENTS: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put
on the record if no order of satisfaction is filed prior to trial.

TACO BELL CORP. SIGNAGE
2317 E. Joppa Road

1 pylon sign (refaced)	69.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
2 directional signs (double-faced)	16.44 sq. ft.
Totals: 5 signs	132.54 sq. ft.

E. JOPPA ROAD
(70' R/W)

LEGEND
EXIST. CONTOURS ———
PROP. CONTOURS ———
NEW CONCRETE CURB ———
NEW LT. POLE ———
NEW PAVING (MACADAM) ———
NEW CONC. PAVING OR WALK ———
DRIVE THRU STACKING SPACES ———
TRAFFIC ARROWS ———
DIR. NOT ENTER ———
DIRECTIONAL LETTERING
PAINTED WHITE (24" HIGH)

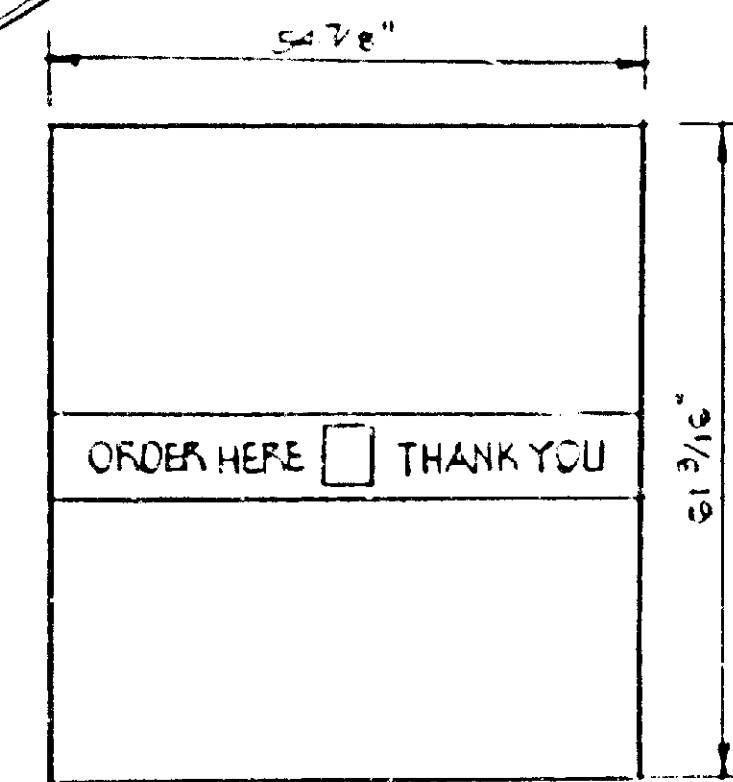
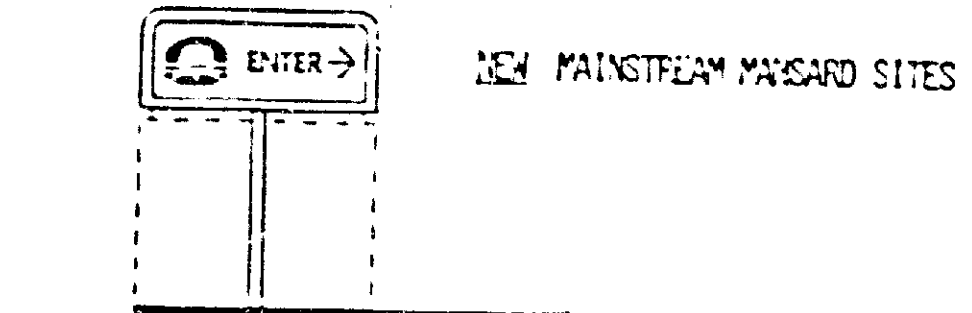
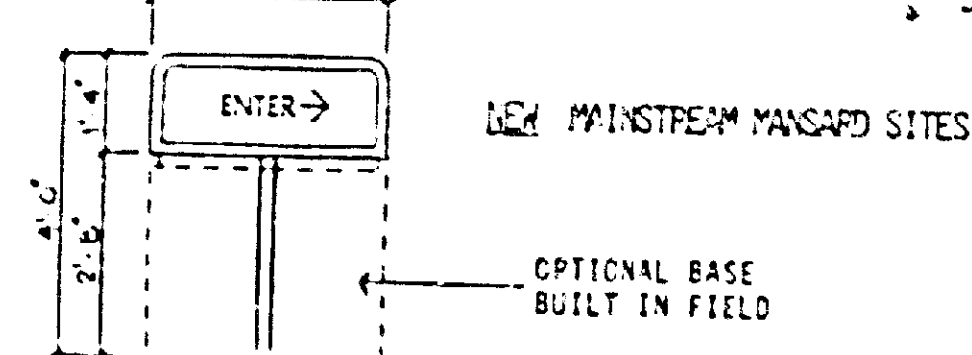
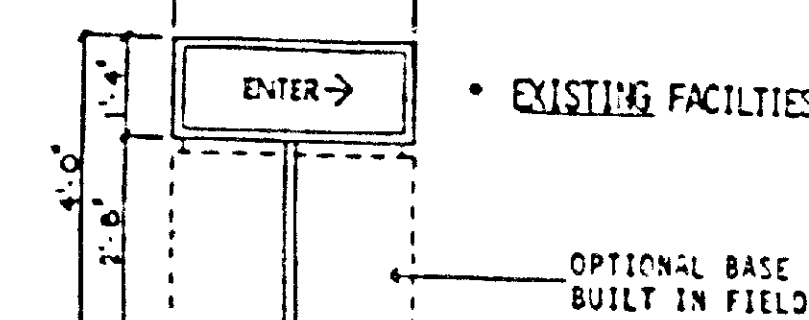


NOTES:
1. EX. ZONING BL-C52
2. GROSS AREA 0.375 AC. ±
3. BLOB AREA 1.937 SF
4. PAVING DATA
REQUIRED 1037/50 ± 33
PROVIDED 215 SPACES
5. NOTE: CONTRACTOR SHALL VERIFY LOCATION OF EXISTING
UTILITY CONNECTIONS PRIOR TO BEGINNING WORK.

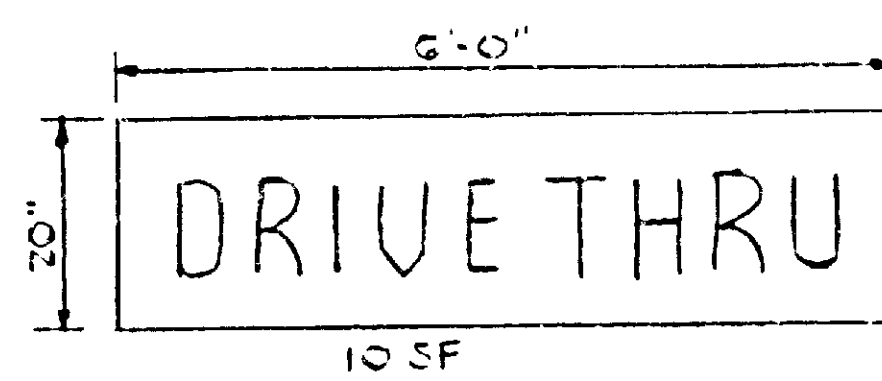
BENCH MARK
14567
RR SPIKE IN MAC. EDGE OF CONC.
GUTTER (4 SEAM) ON S. SIDE JOPPA ROAD
W. SIDE OLD HARFORD ROAD.

* VARIANCE GRANTED NOV 14, 1980
CASE # 81-25-A TO ALLOW 25 SP.
IN LIEU OF REQ. 32 SPACES

SINGLE FACE 4.1 SF
DOUBLE FACE 8.2 SF



ORDER BOARD
23.5 SF



SITE PLAN FOR
PROPOSED DRIVE-THRU
TACO BELL
2317 E. JOPPA ROAD
ELECT. DISTRICT 5 BALTO. CO, MARYLAND
WEIGHT: 100
SCALE: 1"=10'

OLD HARFORD ROAD
(80' R/W)

